THE

NEW TESTAMENT LAW

OF

Marriage and Divorce

BY

WM. E. BOGGS, D. D., LL.D.

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ECOND EDITION: REVISED AND ENLARGED

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FOREWORD

Those among us who take note of "the signs of the times," as our Lord admonishes to do, can hardly fail to observe that

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ERRATA

Page 9, line 17, read *any* for "an."
Page 9, line 37, read *from* for "to."
Page 10, line 13, read ου δεδουλωζαι.
Page 12, lines 8 and 12, read *Polygyny* for "Polygamy."
Page 19, line 18, read *discipline* for "disciple."
Page 21, line 33, read *it* after "limits."
Page 23, line 12, read *Matt.* 16, 1-4 for "14."
Page 34, line 8, read *ignoratio* for "ignoratis."
Page 35, line 31, omit the second "for."
Page 45, line 12, read *gefangen* for "gefaugen."
Page 52, line 33, read *abduth* for "abdeuth."
Page 54, line 6, read *enthymemè* for "enthy-meme."
Page 55, line 26, read quotation marks before and after "breaks up . . . relations."

Besides these typographical errors the printers and the writer regret that it was impossible to obtain the pointing for the Greek words.—W. E. B.

it is evident that, whatever works injury to the Home, must of necessity be a menace to Church and State, yea to religion and civilization. On the ruins of this, the earliest and most fundamental of all human institutions, nothing but anarchy and chaos could survive. And hence, in a crisis like the present, it is incumbent on all who honor God and love men to awake to the peril and consult measures for stemming the flood of evils that seem ready to sweep over us like a great ground-swell from the depths of the ocean. For we may rest well assured that the Arch-enemy of God and man has by no means forgotten that his first and most successful assault was made upon and through the Family, and that he sees that by working serious harm to it now he is training his engines against the foundations of all human association.

And if there be any truth in these suggestions, it would seem that a solemn call has been sounded by the Providence of God

that the Church of Christ shall be careful to see that, as His faithful witness on earth, she is holding forth his teachings as they should be reflected in her credal statements, proclaimed from her pulpits, and administered in the discipline of her spiritual courts. Nor should the Christian citizen lose sight of his civil duties as they are enjoined upon him in the words of the Master and of his inspired apostles. For it cannot be denied that too many are ready to say that our political administration is already past redemption, and that "Politics," in which all civil functions are included, is of necessity so defiling that the Christian who seeks to do his duty by calling good and true men, of whatever party they may be, to make and administer our laws, must of necessity be himself contaminated, is thereby espousing Pessimism as his civil creed and discouraging that faith in God's providence, and that obedience to Christ's express command to pray for our rulers, which often springs from the wish to make our private interests our only concern. And it is worth while that our ministers consider seriously whether it may not be true that in seeking to avoid the sin and shame of making the Lord's house the scene of political gossip and wrangling, we may be neglecting, in a time of great need, what the Holy Spirit has seen fit to reveal to us in such Scriptures as Rom. 13, 1-14 and I Pet. 2, 13-17. We have need to bethink ourselves that sound morality, the morality of the Bible, is the only safety of a nation, and that it is the violation by a people of the Ten Commandments, rather than wars, or famines, or pestilence, that brings ruin upon the Commonwealth.

That the American Home is facing a serious crisis is put beyond all doubt by the facts copied from the Census of 1910 in the table here given. The figures have been verified by comparing them with the official tables in the Census itself.

CAUSES OF DIVORCE.

CAUSE	Total		Divorce Granted to Husband		Divorce Granted to Wife	
	Number	Per Cent. Distribution	Number	Per Cent. Distribution	Number	Per Cent. Distribution
All Causes	945,625	100.0	316,149	100.0	629,476	100.0
Adultery	153,759	16.3	90,890	28.7	62,869	10.0
Cruelty	206,225	21.8	33,178	10.5	173,047	27.5
Desertion	367,502	38.9	156,283	49.4	211,219	33.6
Drunkenness	36,516	3.9	3,436	1.1	33,080	5.3
Neglect to provide	34,670	3.7	6	*	34,664	5.5
Combinations of preceding causes, etc.	88,849	9.4	14,330	4.5	74,519	11.8
All other causes	58,104	6.1	18,026	5.7	40,078	6.4
Causes specified	38,129	4.0	9,825	3.1	28,304	4.5
Causes unknown	19,975	2.1	8,201	2.6	11,774	1.0

*Less than one-tenth of 1 per cent.

1. *Adultery.*—Includes this cause only.

2. *Cruelty.*—Includes cruelty, extreme cruelty, repeated cruelty, intolerable cruelty, intolerable severity, cruel and abusive treatment, cruel and inhuman treatment, cruel and barbarous treatment, attempt to take life, indignities rendering life intolerable, excesses and outrages, treatment endangering reason, treatment injuring health, violence endangering life, etc.

3. *Desertion.*—Includes abandonment, absence for a period of years, wilful desertion, utter desertion, etc.

4. *Drunkenness.*—Includes habitual or continued drunkenness, habitual or continued intemperance, habitual or continued intoxication, habitual use of opium, morphine, chloral, or other like drugs, etc.

5. *Negect to Provide.*—Includes non-support, wilful neglect, refusal to provide, failure to provide, etc.

6. *Combinations of Preceding causes, Etc.*—Inculdes a combination of two or more classified causes, or of one or more classified causes with some minor cause or causes.

7. *All Other Causes.*—Includes, whether occurring separately or in combination, convitcion of felony, impotency, insanity, imprisonment in penitentiary, incompatibility of temper, mental incapacity, pregnancy before marriage, voluntary separation, other minor causes not here enumerated, and unknown causes.

CONTESTED CASES.

Of the total number of divorces granted in the period, 1887 to 1906, only 15.4 per cent. were contested. The proportion of contested cases was slightly larger for divorces granted to the wife than for those granted to the husband.

Thus do the American people, with the utmost candor it must be acknowledged, and also not without a sense of shame, let us hope, publish to the world their sad decline in domestic morality, when nearly a million of homes have been wrecked and hundreds of thousands of helpless children have thereby been exposed to neglect, temptation and vice, in the short period of twenty years ending with 1906. In the preceding twenty years ending with

1886, the number of divorces issued by the various courts having jurisdiction was 328,716, showing an increase in the dreadful evil of nearly threefold or not far from 300 per cent.! This vast number of divorces was granted, if my information is correct, for twenty-six causes, not all of them being allowed in any one of the various States of the Union, of course. But how fearful it all seems. Here is another table from the same Census wherein we, with equal frankness, venture to compare ourselves with other nations:

COMPARISON WITH FOREIGN COUNTRIES.

The figures concerning the growth and prevalence of divorce thus far considered have dealt only with the United States. The following table shows how the divorce rate in the United States compares with that in certain foreign countries.

It should, perhaps, be stated that this comparison is affected slightly by the fact that the figures for foreign countries include as a rule only absolute divorces, while those for the United States include both absolute and limited divorces. This difference is, however, of almost no practical importance, for in the United States less than 1 divorce in 100 is a limited divorce. If it is assumed that exactly 1 divorce in 100 is a limited divorce the ratio of the United States would become 72 per 100,000 population instead of 73, an immaterial difference.

COUNTRY	Census Year	Population	Divorces: Annual, Average*	
			Number	Per Population 100,000
Australia, Commonwealth of	1901	3,773,248	350	10
Austria	1900	26,150,708	179	1
Belgium	1900	6,693,548	705	11
Bulgaria	1900	3,744,283	†396	11
Denmark	1901	2,449,540	411	17
France	1901	38,961,945	8,864	23
German Empire	1900	56,367,178	8,680	15
Prussia	1900	34,472,509	5,291	15
Saxony	1900	4,202,216	1,209	29
Bavaria	1900	6,176,057	491	8
Great Britain and Ireland:				
England and Wales	1901	32,527,843	568	2
Scotland	1901	4,472,103	175	4
Ireland	1901	4,458,775	‡	‡
Hungary, Kingdom of	1900	19,254,559	‡‡2,130	‡‡11
Italy	1901	32,475,253	**819	**3
Japan	1898	43,763,855	93,949	215
Netherlands	1899	5,104,137	512	10
New Zealand††	1901	772,719	92	12
Norway	1900	2,221,477	129	6
Roumania	1899	5,956,690	1,187	20
Servia	1900	2,492,882	312	13
Sweden	1900	5,136,441	390	8
Switzerland	1900	3,315,443	1,053	32
United States	1900	75,994,575	55,502	73

*For the 5-year period of which the census year given is the median year except for Bulgaria and Servia. †Average annual number of divorces 1896-1900. ‡Annual average less than 1. Only I divorce granted during the 5-year period. ‡‡Annulments included with divorces. **Legal separations. ††Exclusive of Maoris.

Thus we discover that the European nation that approximates nearest to us in this species of immorality is the sister Republic of Switzerland. How the matter stands in the Latin Republics to the south of us is not revealed in this table. But while divorces are fewer the births of children out of wedlock is fearfully great. Mr. Robert E. Speer, Secretary of Foreign Missions in the Presbtyerian Church, U. S. A., having recently made a wide tour of inspection and inquiry into the moral and religious conditions of the South American peoples, in his address before the Laymen's Convention in Chattanooga on February 14, 1912, states as the results of his examination into the facts: "In Brazil more than 40 per cent. of the population are of illegitimate birth; in Ecquador 50 per cent. The whole of the continent shows an average of 50 per cent. . . . Celibacy has resulted in moral impurity and rottenness among the priests. A priest said he thought about one-half of the priests had kept their vow of celibacy. Another priest said he was acquainted with eighteen priests, and only one of these had lived a pure life." Speech as published in the Christian Observer of February 14, 1912, p. 11. Such facts as these have long been asserted by authentic history. And in Rome itself, with its large population of ecclesiasties, the percentage of illegitimate births is reported to be very great. This truth must be kept in mind when we listen to the uninformed laudation of the Church of Rome for refusing all divorces.

But to continue our examination of the Comparative Table of divorces, let it be remembered that Switzerland has 32 divorces annually to every 100,000 of her population, while we must acknowledge the high ratio of 73 in every 100,000. Australia, which some of us can recall as a colony of British criminals, has but 10; the German Empire 15; France 23; but England, that limits divorces to the one cause sanctioned by our Lord, only 2 divorces in 100,000 of her population. And only Japan, confessedly of loose morals even for a pagan people, goes beyond us in this dangerous sin.

Reverting to the first Table of Statistics within our own country, it is significant to observe the large per cent. of divorces that are due to some 26 grounds is assigned to "Desertion." As the sole cause it is charged with no less than 367,502, or nearly 39 per cent. of the tremenduous aggregate of 945,625. To "Adul-

tery" are credited 153,759, and to "Cruelty" 206,225; the two in combination furnish 359,984, or less than the share of "Desertion" alone by 7,518. Taken in combination with other causes given in the table as well as by itself as the leading cause, "Desertion" appears as a factor in about 400,000 of the total number —945,625.

Of course if we can claim with certainty that our Lord through His inspired servant Paul really has authorized that "wilful desertion" be added to the only cause of divorce named by himself twice in the gospel of Matthew, we can only bow to His supreme authority and say with truth that the abuse of a Divine permission does not justify us in discarding it at all. Yet in view of the dreadful part now being enacted by "Desertion" in the vast number of divorces recorded in the last Census; and also taking into calm and prayerful consideration how many of our Christian brethren in other Evangelical Churches, as wise and as sincere as we can claim to be, disagree with our interpretation of I Cor. 7,15, it seems only right that we review the grounds on which our doctrine rests.

In 1857 Dr. Charles Hodge issued from the press his valuable "Commentary on First Corinthians." And on p. 118 he states that this verse (I Cor. 7, 15) is the foundation of *"the Protestant doctrine,"* assigning desertion as a cause for divorce. How the facts stood then this writerhas no means of knowing, nor has he the statistics for continental Europe. But certainly taking the evangelical denominations in English-speaking countries as estimated by Dr. H. K. Carroll, the well known expert, the statement needs some qualification, as this table shows:

ENGLISH-SPEAKING RELIGIOUS COMMUNITIES OF THE WORLD.

Episcopalians	29,200,000	Free Thinkers	5,250,000
Methodists of all descriptions	18,650,000	Lutherans, etc	2,800,000
Roman Catholics	15,500,000	Unitarians	2,600,000
Presbyterians of all descriptions	12,250,000	Minor religious sects	5,500,000
Baptists of all descriptions	9,230,000	Of no particular religion	17,000,000
Congregationalists of all descriptions	6,150,000	English speaking population	124,130,000

Of this total, omitting smaller bodies not known to the writer, the Episcopalians, Methodists, Baptists, Presbyterians, Congregationalists and Lutherans are to be reckoned as of the Evan-

gelical faith. And they aggregate 78,200,000 in all. The Episcopal and Methodist communions (47,850,000) peremptorily forbid their ministers to solemnize marriage for any divorced persons having a living partner unless the fact be established clearly that he or she is "the innocent party" in a divorce granted expressly on the one ground mentioned by our Lord in Matt. 5, 32 and 19, 3-9. And among Baptists, Congregationalists, and Lutherans, as I have credible information, there is a growing tendency to adopt the same interpretation. And incidentally, since being placed on the Ad Interim Committee of the Assembly, I am learning, without inquiry, of not a few of our loyal and able ministers, as well as among the laity, who either have doubts or else personally reject the doctrine that "wilful desertion" is given by the Apostle Paul as an additional ground for divorce.

For himself the writer begs indulgence while he states that when called by the Assembly to a seat in its Ad Interim Committee in 1909, he had never entertained an serious misgivings about the Westminster interpretation of I Cor. 7, 15. But having been appointed by his Church to inquire into and advise with her as to the New Testament Doctrine of Marriage and Divorce, he felt it his solemn duty to make a full, fair and honest investigation into the whole matter. But in so doing he has not cared to read widely the opinions of men, preferring to make up his mind rather by a careful study of the Scriptures, with the aid of such helps as the best lexicons and grammars afford. To this study he has given much of what leisure he could spare from the exactions of his busy secretaryship, that has required him to travel many thousands of miles delivering addresses on Christian Education, and seeking scholarships for the Stundents' Loan Fund.

The result has been (1) The discovery of some remnants of that State-Church or Christian Theocracy that the great and good men of the Westminster Assembly hoped, with the aid of the Long Parliament to set up in Great Britain, in the civil processes apparent in Sections V and VI of Chapter XXIV of our Confession of faith; (2) That in withholding the privilege of a subsequent marriage to "the offending party," when the marriage has been regularly dissolved or annulled on the ground of Adultery, our fathers have gone beyond the proof-texts cited by them

for the procedure, and have inflicted a penalty wholly at variance with the provisions of our Book of Church Order; (3) And that in their interpretation of I Cor. 7, 15, they have gone contrary to the uniform usage of the word *"bondage,"* not only in our secular writers, but especially in the employment of the word by the translators of the noble Version of 1611 in more than thirty instances in the English Bible; that they have in like manner set aside and violated the established usage by the New Testament writers of the Greek verb δουλοω and of all of its kindred terms, as also of its usage in Classical Greek, so far as this last has been traced with the aid of Greek lexicons; (4) And that in claiming the condition or state of the Christian partner in a "mixed marriage" at Corinth, which Paul expressed by "ουδεδουλωται," in the Perfect Passive Indicative, to be occasioned or caused by the act of desertion, which Paul writes in the *Present Tense Indicative Middle,* ("χωριζεται,") they have unconsciously violated Greek syntax in a manner that is wholly inadmissible—in fact have asserted that the effect can and does exist *prior in the order of time to its own cause,* which is manifestly impossible.

For these weighty and seemingly incontrovertible reasons, therefore, the undersigned feels it to be his duty to propose that our Church shall so amend Sections V and VI of the Chapter on Marriage and Divorce as to bring our credal statements into harmony with our supreme standard of faith and duty—the Holy Scriptures, and also to co-ordinate the statements of the Confession with the provisions of our Book of Church Order as to the infliction of "Censures" upon derelict brethren who have been found guilty after a full and fair trial of violating the precepts of God's Word as interpreted in our Confession and Catechisms.

The writer would further state that, in his humble opinion, there might have been less need of this publication if Providential conditions had not prevented on two occasions the meeting of more than a small proportion of the Ad Interim Committee. The crisis in domestic morals, as it has been given him to see it, seems to call for decided and prompt action on the part of this Church and of all Christian people in our country. W. E. B.

DISCUSSION—PART FIRST

BRIEF SURVEY OF CHAPTER XXIV, IN THE CONFESSION OF FAITH

CHAPTER XXIV

OF MARRIAGE AND DIVERCE

Marriage is to be between one man and one woman: neither is it lawful for any man to have more than one wife, nor for any woman to have more than one husband at the same time.[1]

II. Marriage was ordained for the mutual help of husband and wife;[2] for the increase of mankind with a legitimate issue, and of the church with an holy seed;[3] and for preventing of uncleanness.[4]

III. It is lawful for all sorts of people to marry who are able with judgment to give their consent,[5] yet it is the duty of Christians to marry only in the Lord. And, therefore, such as profess the true reformed religion should not marry with infidels, Papists, or other idolaters; neither should such as are godly be unequally yoked, by marrying with such as are notoriously wicked in their life, or maintain damnable heresies.[6]

IV. Marriage ought not be within the degrees of consanguinity or affinity forbidden in the word;[7] nor can such incestuous marriages ever be made lawful by any law of man, or consent of parties, so as those persons may live together, as man and wife.[8]

V. Adultery or fornication, committed after a contract, being detected before marriage, giveth just occasion to the innocent party to dissolve that contract.[9] In the case of adultery after marriage, it is lawful for the innocent party to sue out a divorce,[10] and after the divorce to marry another, as if the offending party were dead.[11]

VI. Although the corruption of man be such as is apt to study arguments, unduly to put asunder those whom God hath joined together in marriage; yet nothing but adultery, or such wilful desertion as can no way be remedied by the church or civil magistrate, is cause sufficient of dissolving the bond of marriage:[12]

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[1] 1 Cor. vii. 2. Nevertheless, *to avoid* fornication, let every man have his own wife, and let every woman have her own husband.

Mark x. 6. But from the beginning of the creation God made them male and female.

7. For this cause shall a man leave his father and mother, and cleave to his wife;

8. And they twain shall be one flesh: so then they are no more twain, but one flesh.

9. What therefore God hath joined together, let not man put asunder.

Rom. vii. 3. So then if, while *her* husband liveth, she be married to another man, shall be called an adulteress: but if her husband be dead, she is free from that law; so that she is no adulteress, though she be married to another man.

wherein a public and orderly course of proceeding is to be observed; and the persons concerned in it, not left to their own wills and discretion in their own case."[2]

In Sect. I Monogamy is positively proclaimed to be the only form of Marriage in the Church of Christ for all time and among all nations. Polygamy, therefore, is absolutely forbidden in both of its forms, the plurality of wives, which is technically styled "Polygamy," and the plurality of husbands, which is known in treatises as "Polyandry." The latter form of Polygamy is said to exist among some of the feebler tribes in central Asia. But it is more or less like that form of "The Social Evil," which is licensed by the laws of many civilized peoples. "Polygamy" corresponds closely with the customs of Mormons, Mohammedans and most of the pagan nations. But so long as this paragraph remains in the Confession, it is wholly illegal that polygamists, of either sex, should be received into the communion of our Church, under any plea of necessity or of convenience. And inasmuch as the proof-texts fully sustain the Confessional Statements, no change is possible while we hold to the Scriptures.

In Secs. II and III we have an admirable summary of the teachings of the divine Word concerning God's design in ordaining marriage for the human race, together with a condemnation of the Roman heresy of Celibacy in the priesthood and monastic orders.

In Sec. IV a notable amendment was effected some years ago in the manner required by our law, whereby the following words were omitted:

"The man may not marry any of his wife's kindred nearer in blood than he may of his own, nor the woman of her husband's kindred nearer in blood than of her own."

The time had come when the majority of our Church ceased

Gen. ii. 24.

[2] Gen. ii. 18. And the Lord God said, *It is* not good that man should be alone: I will make him an help meet for him.

[3] Mal. ii. 15. And did not he make one? Yet had he the residue of the Spirit. And wherefore one? That he might seek a godly seed. Therefore take heed to your spirit, and let none deal treacherously against the wife of his youth.

Gen. ix. 1. And God blessed Noah and his sons, and said unto them, Be fruitful, and multiply, and replenish the earth.

[4] 1 Cor. vii. 2, 9. Nevertheless, *to avoid* fornication, let every man have his own wife, and let every woman have her own husband.—But if they cannot contain, let them marry: for it is better to marry than to burn.

to regard this statement as "a good and necessary consequence" from the proof-text in Lev. 20, 18-20. The discussion, as some of us remember, was protracted and earnest. And not until the conservatives of that day had exhausted all their means of resistance was the amendment carried. Now that the change has been made, it may be doubted whether a half dozen brethren would vote for its restoration.

However, it is with the contents of Secs. V and VI that this paper is chiefly concerned.

That we may have a more thorough command of the contents of these two sections, it may be well to analyze them into distinct propositions, not being careful to observe their boundaries inasmuch as they in a way overlap and run into each other.

I. *An engagement to be married may not be broken off unless impure conduct, occurring after the engagement has been entered into, is detected in one of the parties.*

II. *When impurity developes in one of the parties after the marriage has been consummated, "it is lawful for the innocent party to sue out a divorce, and after the divorce to marry another." [But this privilege shall be permanently withheld from "the offending party."]*

III. *Wilful desertion is another Scriptural cause for divorce, but the divorce shall not be issued until the church and the civil magistrate shall have put forth their utmost endeavor in vain to restore the deserting partner to his place in the family.*

These three propositions seem to embrace every point in the two sections which concern this discussion.

(1) Now, with regard to the regulation laid down for the guidance of persons who have exchanged mutual promises to marry, it may be safely doubted whether the self-protection al-

[5] Heb. xiii. 4. Marriage *is* honorable in all, and the bed undefiled: but whore-mongers and adulterers God will judge.

1 Tim. iv. 3. Forbidding to marry. See context.

[6] 1 Cor. vii. 39. The wife is bound by the law as long as her husband liveth; but if her husband be dead, she is at liberty to be married to whom she will; only in the Lord.

2 Cor. vi. 14. Be ye not unequally yoked together with unbelievers; for what fellowship hath righteousness with unrighteousness? and what communion hath light with darkness?

Gen. xxxiv. 14; Ex. xxxiv. 16; 1 Kings xi. 4; Nen. xiii. 25-27.

[7] 1 Cor. v. 11. It is reported commonly *that there is* fornication among you, and such fornication as is not so much as named among the Gentiles that one should have his father's wife.

lowed to the parties is sufficient either for securing happiness after marriage, or for the health and even the life of one or other of the parties; or for the welfare of posterity and for the rights of government. Suppose, for example, that, after an engagement, one of the parties be discovered to have been living a carefully hidden but very impure life; or that one has committed crime; or that one has an incurable disease that threatens the life not only of a married partner, but also the mental and physical well being of posterity, shall the party thus exposed to a life of misery and a death involving years of suffering and shame, have no remedy for his or her mistake? Surely this is a far more stringent regulation than can be extracted from the proof-text (Matt. 1, 18-20), which records the supernatural means employed by the Almighty to provide a guardian and protector, at a time of desperate need, for the virgin-mother and the Holy Child. What God judges to be right under such conditions as have been mentioned may, perhaps, be better ascertained by what he actually ordained by his servant Moses, as a sanitary protection for the Chosen People (Lev. 13, 45, 46; 2 Chron. 26, 20, 21).

(2) The authority claimed in behalf of the Church to permanently forbid another marriage to "the offending party" in such a case as is considered in paragraph V, and the supposed addition of "wilful desertion" in paragraph VI, as a second cause for divorce, are reserved for subsequent discussion. But in this brief survey of the Chapter, it seems appropriate to call attention to the evident lack of that thorough construction of sentences and of that legal precision which are so characteristic of this great document. It occurs in the wording of Sec. VI, and in its failure

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Lev. xviii.

[8] Mark vi. 18. For John had said unto Herod, It is not lawful for thee to have thy brother's wife.

Lev. xviii. 24-28; Lev. xx. 19-21.

[9] Deut. xxii. 23. If a damsel *that is* a virgin be betrothed unto a husband, and a man find her in the city, and lie with her:

24. Then ye shall bring them both out unto the gate of that city, and ye shall stone them with stones that they die; the damsel, because she cried not *being* in the city; and the man, because he hath humbled his neighbour's wife: so thou shalt put away evil from among you.

[10] Matt. v. 31, 32. It hath been said, Whosoever shall put away his wife, let him give her a writing of divorcement: but I say unto you, that whosoever shall put away his wife, saving for the cause of fornication, causeth her to commit adultery: and whosoever shall marry her that is divorced, committeth adultery.

to indicate whether or not a subsequent marriage is allowed to the party who has been wilfully deserted. Such an omission is surely a grave defect in legislation, or rather in expressing for our guidance the law of our Lord. Can a deserted Christian establish his or her claim to another marriage, basing it upon what is written in paragraph VI?

(3) But this is perhaps not the most serious defect in this paragraph—a defect that belongs to paragraph V also, but not quite so obviously—*namely, the intervention of the civil magistrate in the procedures of the Church, while it is engaged in administering the spiritual laws of the Lord Jesus Christ.* As the Westminster divines had formulated and sent forth their great Confession, it contained, as all of us know, very much more of the intermixture of things peculiar to the Church of the New Testament with things which we now firmly hold to have been relegated by our Lord to the separate jurisdiction of the Civil Power. In the several revisions of the original document, the American Church has removed most of the traces of that Ecclesiastico-political organization that, in all sincerity, the Westminster divines and the Long Parliament desired to set up in Great Britain. But in these two sections, especially in the last, there remain some traces of that species of Christian Theocracy.

To realize this clearly, we should remember that our fathers fully believed (but erroneously as will be shown) that through the Apostle Paul our Lord had about the year A. D. 59 promulgated a change of the law of Marriage and Divorce as recorded twice in the gospel of Matthew. And as authority for this belief they cite 1 Cor. 7, 15 as their only proof-text. Very well; in

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[11] Matt. xix. 9. And I say unto you, Whosoever shall put away his wife, except *it be* for fornication, and shall marry another, committeth adultery; and whoso marrieth her which is put away, doth commit adultery.

[12] Matt. xix. 8. He saith unto them, Moses, because of the hardness of your hearts, suffered you to put away your wives: but from the beginning it was not so.

1 Cor. vii. 15. But if the unbelieving depart, let him depart. A brother or a sister is not under bondage in such *cases*: but God hath called us to peace.

Matt. xix. 6. Wherefore they are no more twain, but one flesh. What therefore God hath joined together, let not man put asunder.

[13] Ezra x. 3. Now therefore let us make a covenant with our God, to put away all the wives, and such as are born of them, according to the counsel of my lord, and of those that tremble at the commandment of our God; and let it be done according to the law.

their judgment our Lord has in this way added another cause for divorce to what he had personally said something like 25 years previously. But, when we ask of them in what manner, and under what conditions shall the Christians in Great Britain avail themselves of Christ's law as to wilful desertion, their answer as written in paragraph VI is: "He cannot have the privilege of the divorce at all until both the Church and the civil magistrate shall have made every possible effort (their words are, *"Can no way be remedied by the church or civil magistrate"*) "to restore the deserter to his place in the family." *The intervention of the civil magistrate, in the administration of Christ's government of his disciples, is here expressly ordained.* Why not? Did they not honestly believe in the union, within certain limits, of the two powers, ecclesiastical and civil? Let us be mindful that what is objected to is the *union* of two diverse administrations. Not a word is intended to imply that the Commonwealth may not, in its secular sphere, exercise its separate jurisdiction over marriage and divorce, as matters of good order not among Christians only, but especially among the worldly who have no connection with Christ's flock. To this civil jurisdiction every citizen owes obedience, as the Scriptures teach in Rom. 13, 1-14 and 2 Pet. 2, 13-17. But, as has been said, the two jurisdictions are entirely separate, having different laws, different courts, different procedures, different officers, and different ends in view.

Our fathers, therefore, go outside of the New Testament altogether to find their authority for this joint jurisdiction. They cite Ez. 10, 3 from the history of the steps taken by this man of God to restore the Jewish Theocracy, which had been in abeyance during the long Captivity in Babylon. And that procedure was both ecclesiastical, as when Ezra fasted and prayed, and political as when fines, even to the extent of the confiscation of a man's estate, were threatened (Ez. 10, 7, 8), together with excommunication from the people of God.

Paul, in this same epistle in which our fathers find their authority for holding "wilful desertion" to be a Scriptural ground for divorce in the Church of the New Testament, has much to say about *"orderly procedure"* in the house of God. These matters occupy much of his letter from Chap. 11 to Chap. 14. And

he concludes with those most appropriate words: *"Let all things be done decently and in order."* But our fathers pass all this by (and very properly, in view of their convictions,) in order to cite the co-operation of the two jurisdictions as they were conjointly exercised in the Laws of Moses, the prophet of God.

Now, it is easy to see that Paul not only did not, but that humanly speaking he *could not,* have given such advice to the Christian partner in a mixed marriage at Corinth. And that for two reasons—*First,* because he was fully aware that his Lord had absolutely and forever repudiated the use of physical force of every kind in the administration of his spiritual kingdom. And, *secondly,* because Paul, being from his birth a Roman citizen, was, as his history shows, well acquainted with the Roman laws. He had lived in Corinth, and had witnessed how Gallio, the Roman proconsul of Achaia, refused with scorn to listen to questions of Jewish and Christian opinions (Acts 18, 12-17). What, then, would such a magistrate have said to a petition from a Christian to sanction his or her divorce, when both Roman law and Greek custom alike permitted a husband or a wife to divorce a consort at pleasure?* And hence in good faith our fathers went back to the Jewish Theocracy for that "public and orderly procedure." They acted in accordance with their honest convictions. And we ought to follow their example by acting in accordance with ours in excluding from our written creed what we no longer believe in our hearts.

But traces of this twofold administration also appear in paragraph V. Our fathers instructed the "innocent party," in cases of adultery, to *"sue out a divorce."* Now, to what jurisdiction do such technical terms refer? To that of a civil tribunal and to none other. Such language is the speech of Ashdod, and not that heard in the courts of the Lord's house. But we have surer evidence than that of the technical terminology. Only *one* tribunal is here spoken of. What is it? The purely ecclesiastical court? Never! For in that case, questions of property and charges of bigamy would arise, as our fathers well knew. They were not planning to involve their "innocent party" in strifes and imprisonment. In the highly enlightened commonwealth of South Carolina, as everybody is supposed to know, no divorces

*See Hodge's Comm. on 1st Cor., p. 118.

are allowed at all—no matter how notoriously impure a married person's life may be. Suppose then, that our Presbyterian Church should direct her courts in that State to issue cases, as Paul ordered the Church at Corinth to do in I Cor. 5, 1-13? Nobody in Corinth cared on what grounds a Christian husband or wife should claim divorce. For there anybody had that power. But in South Carolina, and other States too, it is necessary to remind the party after he is divorced according to Christ's law, that though *he has a moral and religious right* "to marry another as if the offending party were dead," yet that it would be impossible for him to exercise that right without a permit from the civil power. And hence, to exercise his moral and religious right, a Christian would be obliged to remove to another land, if he knows such a place. Otherwise while remaining in South Carolina, his circumstances are somewhat like those of a bachelor or a spinster, whom nobody is willing to marry. So Paul held his right to marry in abeyance, though he also asserted it in I Cor. 9, 5.

This assertion of an independent administration by the Church is not intended as a mere academic debate. The writer's mind was directed to this aspect of the "Divorce Evil" largely by a conversation a few months ago with a distinguished minister in a sister denomination. In the course of our talk, I was surprised to hear the Bishop positively assert that the Church of Christ has no authority from him to issue divorces, but is bound in all cases to wait until the State has issued the divorce. And then, if it has been given on the one ground named by our Lord, the minister may under ecclesiastical authority solemnize a marriage for "the innocent party" only. And unless my memory fails me the 39th Canon of the Protestant Episcopal Church requires the minister to have before him a copy of the decree of the civil court showing that it is based on this one cause. Our Church also, partly because of the meagerness and obscurity of the part of our law now under consideration, is not as confident and outspoken as the times demand of us. How helpless, for illustration, would Paul have felt himself to be, when that flagrant case of adultery and incest was reported to him from Corinth, if he had waited for previous action by the Roman proconsul and his

heathen subordinates in that city, infamous even among the pagans for this species of immorality?

The Church of Rome, in despite of her serious errors with regard to marriage, has profited greatly in the world's opinion by maintaining her independent jurisdiction with respect to marriage over all persons under her authority. She is entirely correct in holding it to be a *religious,* as well as a civil ordinance. And in its religious aspects Christ has confided the preservation of its purity and conformity, not to any civil government on earth, but to his Church. Paul's prompt and efficient action as described in I Cor. 5, 1-13, was blessed of God to the recovery of the sinner, and also to the edification of the body of believers—and that in *Corinth!* There the most splendid of her temples was served by a great company of beautiful women, who as priestesses of Venus (her Greek name being Aphrodite), were consecrated to prostitution. And elsewhere in the Roman Empire to call a woman "A Corinthian" was to say that she was impure. But even there Christ's disciple, entirely apart from human statutes, proved both efficient and sufficient, as we read in 2 Cor. 2, 6-9 and 7, 8-16.

DISCUSSION—PART SECOND

OUR LORD PROMULGATES HIS LAW OF MARRIAGE AND DIVORCE

It is a fact that should not escape the attention of careful readers that the personal teachings of the Lord Jesus on these closely related and vital elements of Christian morals are far more important than are the more incidental and partial allusions to them by his apostles. And this claim of greater importance is not made because of his preeminence over them, as the Supreme Lawgiver and King in Zion, but rather to the qualities of directness, of positiveness, and to the tone and air of *finality*, with which he handles them. It is this character of our Lord's teaching that is believed to have left less occasion for them to discuss what their Master had settled.

Of the four evangelists Matthew was, for reasons not recorded, moved by the Holy Spirit to give the most complete account of Christ's statements as to Marriage and Divorce—once in his "Sermon on the Mount," and again nearer the end of his ministry, when closely pressed by his enemies.

Our Confession wisely sends us to the Greek original, as the ultimate authority in all questions about faith and duty; but because it is difficult to get Greek type set up, I shall content myself for the most part with the English text, unless the Greek word becomes essential to the argument. In the citations now given the Revised Version seems to approach more nearly to the Greek, and is therefore given in the quotations:

Matt. 5, 31, 32—It was said also, Whosoever shall put away (Gr. *release*) his wife, let him give her a writing of divorcement (Gr. *standing apart; separation*); but I say unto you, that every one that putteth away (Gr. *shall release*) his wife, saving for the cause of fornication, maketh her an adulteress (Gr. *moicheutheenai*); and whosoever shall marry her, when she is put away (Gr. *released*) committeth adultery.

Matt. 19, 3-9 —There came unto him Pharisees, trying him, and saying, Is it lawful for a man to put away (Gr. *to release*) his wife for every cause? And he answered and said unto them, Have ye not read that he who made them from the beginning, made them male and female, and said, For this cause shall a man

leave his father and mother, and shall cleave unto his wife: and the two shall become one flesh. What therefore God hath joined together, let not man put asunder. They say unto him, Why then did Moses command to give a bill of divorcement (Gr. *standing apart; separation*) and to put her away? He saith, Moses for your hardness of heart suffered you to put away (Gr. *release*) your wives: but from the beginning it hath not been so. And I say unto you, whosoever shall put away (Gr. *shall release*) his wife except it be for fornication, and shall marry another, committeth adultery: and he that marrieth her when she is put away (Gr. *released*) committeth adultery.

From these words, setting forth so expressly, so positively and with such an air of finality, our Lord's enactments as to Marriage and Divorce, we learn:

1. That marriage, as God instituted it in Eden for mankind unfallen and sinless, was between one man and one woman only. He cites the history of the Creator's exact procedure in producing but one of each sex, and that by so doing he indicates his holy will that monogamy, and not polygamy, shall be its perfect form. And hence our Lord, as the Lawgiver and King of the Redeemed, re-enacts it for his Church, in all ages and for all peoples that shall be gathered under his dominion.

2. He also quotes from the ancient record words, therein declared to have been spoken by Adam, and attributes them to God, thereby indicating that our first father was moved by the Holy Spirit on that momentous occasion to utter the will of God to be that, among the relations of the human family, the relation of husband and wife should be supreme and indissoluble. And as there was no sin, divorce was entirely foreign to the minds of the married pair.

3. Moreover, inasmuch as the possibility of divorce has come in with death and the other consequences of sin, our Lord most positively limits to the one cause only of impurity in one of the partners. This limitation he so reiterates and emphasizes as to leave little, if any ground at all, for such a change of his law, as has been by many attributed to the words of his apostle in I Cor. 7, 15. Of course we all believe that Paul, like the prophets of the Old Testament, wrote "as he was moved by the Holy Spirit." And in dealing with his words it becomes us not to "handle the word

of God deceitfully." But what is meant is that when our Lord thus delivers his law on any matter, we should be very careful that we do apprehend clearly the exact signification of an apostle's language before asserting that he has been commissioned so decidedly to modify what his Lord and Master seems to have settled.

4. Furthermore in confirmation of his doctrine of divorce, our Lord recalls and annuls the laxer permission given by Moses as being only of temporary duration because of the hard-heartedness of men who were living under the dimmer light of a revelation not as yet completed.

5. Careful observation will not fail to discover in our Lord's manner of dealing with divorces his purpose to protect the weaker sex from wrongs inflicted on them by heartless and sensual men. It is this purpose that gives a natural prominence to the actions of the man in seeking to be divorced that he may have another wife. For it is reported that the disciples of Hillel had gone to the shameless extent of holding that the desire for a more beautiful companion was cause sufficient for him to divorce the wife of his youth. And hence the defect of English law is the more inexcusable for withholding from the wife the privilege of being divorced from an impure husband until about the beginning of the nineteenth century. And our Confession correctly deduces the woman's equal privilege from the fact that it is given to the husband. The logical principle may be stated thus: *Whenever to one of two correlatives an attribute is ascribed which necessarily affects the relation by which they are bound together, the same attribute also belongs to the other correlative.* The two correlatives in this case are husband and wife; to the husband has been conceded the right to be divorced from an impure wife; and hence the same right belongs to the wife also.

This principle is extensively employed in all branches of human investigation. Without its help the Inductive Sciences would be seriously curtailed and hampered. And that our fathers of the Assembly were fully justified in making use of the Reasoning faculty for discovering religious truth is fully sustained by the appeals made to this great power in man by the inspired writers. In Ps. 94, 7-10, we have this beautiful piece of reasoning:

"And they say, Jehovah will not see,
Neither will the God of Jacob consider.
Consider, ye brutish among the people,
And ye fools, when will ye be wise?
He that planted the ear, shall he not hear?
He that formed the eye, shall he not see?"

Perhaps our Lord himself more than any of the inspired teachers made use of the Reasoning power in man. He is represented as rebuking his unbelieving hearers, because they can correctly draw correct conclusions from the ordinary signs of the weather, but do not use the same powers of mind to interpret "the signs of the times." Matt. 16, 14. The efficacy of prayer to God he confirms by a beautiful argument based upon parental love and kindness, of that kind which is called the "A fortiori argument," Matt. 7, 7. And even "The Golden Rule" he deduces from what he has just been saying about charitable judgments of our fellow men, as may be seen in his use of "the logical conjunction "Therefore."

It is also true that our Lord does not in express terms concede the right of a subsequent marriage to "the innocent party" in a divorce that is based upon adultery. But our Confession infers that this privilege belongs to that party as *"a good and necessary consequence"* (or conclusion) from his words in the proof-texts cited from Matt. 5, 32 and 19, 9. And this necessarily raises the question, *How can our fathers draw this conclusion for the innocent party, and at the same time exclude the offending party? Is their inference correct both in its including one party and in its excluding the other?* To test this let us have these words directly before us.

Matt. 5, 32—"But I say unto you that whosoever shall put away his wife saving for the cause of fornication, causeth her to commit adultery; and whosoever shall marry her that is divorced committeth adultery."

In this case the discarded wife does not become impure until *after* she has been put away. The husband is warned that he will become a partner in her sin by "putting her away" with a "writing of divorcement," *which he gives her in order that she may enter into another marriage.* And by sending her out homeless into the world, he further tempts her to marry, if she can.

And finally when a second man finds her and takes her as his wife, he too becomes guilty of adultery for living with the wife of another man, from whom she has not been really divorced at all, according to the law here given by One who is coming by and by, to be the judge of the living and the dead. Thus three persons become guilty of adultery in the sight of God, not *before* "the writing of divorcement" is given, but *after* it is given—the husband by tempting her who still remains his own wife to live in sin with another man; the wife because she consents, being still the wife of her original and only husband thus to live with the second man; and this second man because he takes another man's wife as his companion in sin.

The facts concerning these three persons can be correctly summed up into this general statement:

All persons who claim the validity of divorces given on any grounds "except fornication," whether by aiding others thus wrongfully divorced to marry another party (the husband), or by consenting to marry another, when thus wrongfully divorced (the wife), or by marrying one who is thus wrongfully divorced (the second man), are by our Lord warned that in so doing they will be in God's sight held guilty of adultery. This includes everything, and shows that all parties become guilty of impurity *after* the so-called divorce, not before it.

And when attention is fixed upon the four parties in Matt. 19, 9, a condition is found of exactly the same kind. The husband wrongfully "divorces" his wife, and then "marries" another; the wife thus wrongfully "divorced" is "married" by another man. And so all of them enter upon lives of sin in the sight of God, as our Lord warns them.

But when we consider the case presented in Sect. V, a very different state of things confronts us. Here the sin of impurity has already been committed *before* the divorce, and so the marriage is dissolved, annulled, completely done away with, *on that very ground that our Lord has sanctioned. How then can his warning given to those who wrongfully claim to be divorced on other grounds than that, be applied to persons who have been rightfully divorced on that very ground that he sanctions?* This truth our fathers saw plainly enough in the case of *"the innocent party,"* but how could they have failed to see that it applies with

equal force to both parties? In the absence of positive evidence which might perhaps be found in the Minutes of the Assembly or in the celebrated "Letters" of Robert Baillie, one can only conjecture that they relied on opinions then current among the Protestants in Great Britain, or possibly were moved by the demands of the autocratic Parliament and the laws of the realm. But whether for such causes as these or for misjudgment in themselves, our fathers were certainly led into a mistaken and an inadmissible construction of our Lord's words in these two proof-texts. He most assuredly does not exclude either party in a case like that in Sect. V from another marriage. And when regarded as a civil penalty on an offender against human law, we can see grave objections to that particular method of punishing such a person. He deserves punishment from the commonwealth that he has wronged, but that reported in the case in South Carolina—imprisonment at hard labor—or some other form, would seem wiser than to make it so very probable that persons of that temperament, so sensual that they can be tempted to violate their marriage vow, the laws of the land, and the seventh commandment, will continue to corrupt the morals of society. Our Lord wisely forebore to authorize that penalty.

Logic suggests that the facts thus ascertained be summed up in the form of a regular argument or syllogism, for our better examination. And let it be remembered that logical forms add nothing whatever to the facts, their only function being to show us more clearly what really is in the facts.

Major premiss—All persons claiming valid divorces on any ground "except fornication," whether by aiding others wrongfully divorced to marry again, or by consenting when wrongfully divorced to marry again, or by marrying one who is wrongfully divorced, are warned by our Lord that in so doing they will, in the judgment of God, be held guilty of adultery.

Minor premiss—But neither of the parties to a divorce like that in our Confession, Chap. XXIV, Sect. V is among persons thus wrongfully claiming divorces in the various ways specified by our Lord.

Conclusion—And hence neither of these parties is by our Lord warned against aiding in or contracting a marriage.

Perhaps our fathers of the Assembly were more readily misled

in their exclusion of "the offending party" from another marriage because they looked at the whole matter from a point of view widely different from that taken by the Master. The Confession is chiefly occupied in providing a Scriptural way by which "the innocent party" may be released from his or her impure consort—a thing entirely proper in itself, but far narrower and lower than that pursued by the Lord Jesus. To his mind the chief consideration is the awful injuries inflicted on personal character, on the Church and religion, on the commonwealth and civilization, by wrongful divorces. And, in subordination to this, he is also considering the cruel wrongs of womanhood by the evil conduct of harsh and sensual men. This last evil had also been protested against by the last of the Old Testament prophets, speaking for the just and merciful God. Mal. 2, 14-16. We can well believe that the most pathetic figure of "A wife of youth forsaken" appealed to him who while bearing on his lacerated shoulder the burden of the cross on which he was about to die, could pitifully say, "Daughters of Jerusalem, weep not for me, but weep for yourselves and for your children." The wisdom of his remedy for the fearful evils of wrongful divorces is seen by comparing the statistics in the two great Anglo-Saxon nations today. England, adhering to Christ's plan, transferred to her Civil Code, has an average of two divorces in 100,000 of her population, while her daughter, the United States, with twenty-six causes for divorce at work in her wide boundaries, wrecking homes and ruining hundreds of thousands of little children, has 73 to 100,000! It is not to be wondered at that Turks, and Japanese, and Mormons should point at our filthy record and say, "Your case is worse than ours." And this they are saying today —at least Japanese and Mormons say it, as I am credibly informed.

Would it not be well that our lawmakers should consider the sound political policy of the mother country in dealing with an evil of vast and rapidly growing extent? Statesmen do not hesitate to borrow suggestions from Plato's Republic and from Roman jurisprudence. The latter, I believe, continues to this hour to arbitrate causes between the citizens of most of the nations of Continental Europe, though they discard the heathenism with which Romans associated it. Might not other peoples, especially

the Anglo-Saxons of America, profit by the moral wisdom of him who is "The Light of the World"? This of course can be easily separated from any ecclesiastical administration. His remedy for the Divorce Evil is: *No divorces except for adultery; no subsequent marriages when separations take place for any other causes whatever.* There is no necessary connection between Christ's solution for the Divorce Evil and any Religious Establishment, whether Roman or Protestant. The European nations do not worship Jupiter, because they make use of Roman Jurisprudence.

How Christ provided for the proclamation and administration of his law concerning marriage, we have already seen. The Apostle Paul had infallible assurance of his Lord's will in this matter. What the inspired servant did was, as he tells us, to teach Christ's regulation as he does in I Cor. 7, 10, 11, when both parties are of the Christian faith, and also to apply this principle to the case of Christians whose consorts had not been converted from the older religions, Jewish or pagan, as the case might be, in the new congregation founded by him in Corinth, I Cor. 7, 12-16. Of these Scriptures more will be said hereafter. But the allusions made at this point serve to introduce a second objection to the penalty provided in our Confession in the chapter now under consideration, *namely,* that it is altogether out of harmony with the provisions found in our Book of Church Order, by which our covenant with one another and with our Lord most solemnly obligates us to abide in cases of "offences" against the Scriptures as interpreted in our Confession and Catechisms. Violations of the seventh commandment are, of course, most serious "offences." We are, therefore, solemnly bound to deal with them, as with all others, according to the Book of Church Order, *and not otherwise.* The penalty provided in the Confession is not at all like the Church's censures and therefore is, as regards our ecclesiastical courts, most positively *ultra vires.* It can neither be inflicted, nor can it be enforced, by church courts.

That this important fact may be fully before the reader's mind, it seems best to copy the regulations as to "censures," as found in our Rules of Discipline, Chap. IV:

I. "The censures which may be inflicted by church courts are *admonition, suspension, excommunication, and deposition.* When a lower censure fails to reclaim the delinquent, it may be the duty of the court to proceed to the infliction of a higher censure.

II. "Admonition is the formal reproof of an offender by a church court warning him of his guilt and danger, and exhorting him to be more circumspect and watchful in the future.

III. "Suspension, with respect to church members, is their temporary exclusion from sealing ordinances; with respect to church officers, it is their temporary exclusion from the exercise of their office. It may be either definite or indefinite as to its duration. Definite suspension is administered when the credit of religion, the honor of Christ, and the good of the delinquent demand it, even though he may have given satisfaction to the court. Indefinite suspension from sealing ordinances or from his office, until he exhibits signs of repentance, or until, by his conduct, the necessity of the highest censure be made manifest.

IV. "Excommunication is the excision of the member from the communion of the Church. This is to be inflicted only on account of gross crime or heresy, when the offender shows himself incorrigible and contumacious. The design of this censure is to operate on the offender as a means of reclaiming him, to deliver the Church from the scandal of his offence, and to inspire all with fear by the example of discipline.

V. "Deposition is the degradation of an officer from his office, and may or may not be accompanied with the infliction of other censure."

Having these plain and simple provisions of our Rules of Discipline before us, there is no need for argument to prove that the exclusion of "the offending party" from another marriage during his lifetime has no place in our ecclesiastical "censures." And hence the courts of our Church cannot enforce it. A man with half of an eye should be able to see that exclusion from another marriage is neither admonition by a church court, nor suspension from the sacraments, nor excision from church fellowship, nor

degradation from an office in the church. And these are all of the legal "censures" that our Church can inflict without violating her own code of laws, which would be to turn the courts of Zion into tribunals of "Judge Lynch."

And let it be borne in mind also that our discipline is limited to communicant members of the Church according to paragraph 152 of the Book of Church Order. And the paragraph accords fully with the limitation observed by Paul as we find it in I Cor. 5, 12, 13. In a Church-State like that contemplated by the Westminster Assembly and the Long Parliament, however, every citizen would *ipso facto* also be a member of the Church, as was the case in the Mosaic Theocracy. And furthermore, the end aimed at in all our Church's "censures" is the recovery of the erring brother. Even excommunication, far from being a malediction hurled at the sinner's head by an enraged enemy, is rather, as some one has said, "only the last tearful entreaty of the mother beseeching her prodigal to return." How long our law-abiding and order-loving Church can get her own consent to retain this contradiction between the statements of her Confession and the provisions of her Book of Church Order is a matter worthy of consideration.

From a cherished friend and valued counsellor, who has discussed with me some of the points in this paper, I have received words of caution to which careful heed has been given. From his letter I copy as follows:

"I do not say that you have failed to show that in a case of divorce founded on adultery, both parties are at liberty to marry again. But it seems to be a novel idea, that when this privilege is refused in all cases other than adultery, it is not refused in this case also, which is so gross a sin. It seems to be putting a premium on that sin. You may be right, but the novelty of the idea will strike other minds as it did me. And your reasoning seems to be sound. Still, in common justice it would seem that one who has the greatest possible offence against marriage—an offence so great that our Lord singles it out as the one and only cause that justifies divorce—should be thus favored. Can that line of reasoning which leads to a conclusion which is apparently so wrong in itself be correct?

"If you offer an amendment to the Confession of Faith, your

suggestions will necessarily be subjected to the closest and most critical examination. Your ideas seem to me to be right, but is it necessary to go to such a radical means for carrying them into effect? Your views may strike the mind of the Church as novel —if you ask them to change the fundamental law, your case may be prejudiced."

This caution has not been thrown away. Interpreting it as a call for renewed examination of the facts as recorded both in our Subordinate Standard, the Confession, and in our Supreme Standard, the infallible Word of God, a careful and prayerful re-examination has been made. And this is the result: In his words on marriage and divorce as recorded twice in Matthew's gospel, our Lord makes mention of two classes only. In one class there are four persons, two men and two women, all of whom remain as *married persons,* notwithstanding the fact that they falsely claim to be divorced, on grounds other than the one only cause sanctioned by Christ in the formula *"saving for the cause of fornication"* or *"except it be for fornication;"* the signification is precisely the same in the two forms. Let each person examine the Master's language in these two all-important texts, and see for himself that the facts are correctly stated. Besides these four married persons there are also three unmarried persons, two men and one woman, that become associated in sinful relations with them after the so-called "divorces" have been recorded in two *"writings of divorcement."* Until these writings have been placed in the hands of the two wives, they are expressly exempted by our Lord from any impurity. And for this reason he indicates that the so-called "divorces" are spurious and void, and hence the four still remain married persons. Until the time of placing these "writings" in the hands of their wives the husbands have not been guilty of impurity either. But they wrongfully break a solemn promise in giving the writings. And our Lord declares that they also become accessory before the fact to any acts of impurity into which they shall tempt and aid their wives to be led. At this point one of the husbands stops. He is not said personally to marry another woman. But his wife consents to be the companion of a second man, and hence he is also guilty because he lives with another man's wife. And the three persons in the case mentioned in Matt. 5, 32 become guilty

of impurity, the husband as an accessory, and the wife and second man as principals.

But in the case recorded in Matt. 19, 9, four persons become guilty—the husband not only as accessory, but also through his second marriage with another woman—his original and only lawful wife by her marriage with another man, whose sin is taking up with a married woman.

The seven persons have all become guilty *after* the "writings" have been given, and not *before* these so-called divorces.

With the case set forth in the Confession, however, it is expressly stated that impurity has already occurred previously to the commencement by "the innocent party" of the process of "suing out a divorce." The divorce is granted *expressly on the ground of adultery.* It is therefore wholly unlike the spurious transactions described by our Lord. The divorce in the Confession, being entirely valid, the marriage is dissolved completely. Neither party is bound any longer. And both of them become unmarried persons, whereas the four married persons spoken of by Christ never were really divorced at all. And hence by entering into mis-alliances with three outside parties they caused them to sin also.

And thus we are brought *by the facts,* not by any inventions of ours, to the inevitable conclusion that our Lord while speaking entirely of those seven persons, did not say a word as to the exclusion of "the offending party" in a *real* divorce from another marriage. And the Church of Christ cannot go beyond what he has authorized to inflict penalties on anybody, no matter how guilty he may be. If this offender be a member of the Church, he should in accordance with paragraph 152 in the Book of Church Order be tried calmly for violating the seventh commandment and "censured" according to the provisions of the Book. Any other procedure would be arbitrary and illegal. And always Church censures are imposed with the intention, with God's blessing invoked in prayer, to restore the wanderer to his duty.

Paul's account of what was done in the flagrant case of incest at Corinth is the model for all such "offences," whether against the seventh or other commandment. And surely if the Lord Jesus had intended that "the offending party" should ever *by his*

Church be excluded from another marriage the case at Corinth would have been a fitting opportunity to enforce it. The palpable fact that "the offending party" deserves some punishment—as he certainly does—cannot show either that the Church is the party to inflict it, or that exclusion from another marriage is really the wisest form of such punishment.

To the inquiry, What should be this punishment? as has already been said, mankind have not always held to the same opinion. In England and elsewhere it is exclusion from another marriage. In South Carolina, as we have seen, it is imprisonment at hard labor and what else this writer does not know. In the Patriarchal Age it seems to have been death, as we read in Gen. 38, 24. This death-penalty was by the authority of God incorporated into the Mosaic Code. (Lev. 20, 10; Deut. 22, 22). In the course of generations, however, a great and good king under sudden temptation became guilty of this heinous sin. And in his frantic efforts to escape exposure, he was also led to plot with Joab for the death of the woman's husband, a brave and unselfish soldier. What will the Judge of all the earth do in such a case? Will he order him to be slain by his own guards? Will he employ the ready swords of the Philistines as he did in wounding David's predecessor and in slaying his sons? Will God strike him with hideous leprosy, as he did his descendant, King Uzziah, for a far less offence as it seems to us? 2 Chron. 26, 15-21. No; God chooses in his sovereignty not to make David an illustration of his holy wrath, but of his holy mercy. He did this well knowing what blasphemies should then and in after ages be vented against himself, against the Bible, and against religion. But he sent Nathan with the parable of the Rich Man and the Poor Man's Lamb. David passes sentence on his own sin unwittingly. And then when the vail is torn off, and he fully realizes his guilt, he repents as in dust and ashes before God and is received into mercy. And in that wonderful Psalm of repentance we have the example of what God requires of all who sin.*

*It is worthy of special attention that when Nathan had rebuked David for his awful crime, he did not require him to cease living with Bathsheba after death had dissolved her marriage to Uriah. But when their child, Solomon, was born God sent his prophet with assurances of his favor and love for him (2 Sam. 12, 24, 25). And when Adonijah was about to take possession of the throne, God's prophet intervened and laid the plan by which Solomon was made king (1 Kings 1, 11-40). And thus the two "offending parties" were permitted to live as husband and wife, and the validity of their marriage is not called into question.

By and by, God the Eternal Son appears on earth by the name of "Son of David." In his exercise of all power in heaven and earth he severs the ecclesiastical element of the Mosaic Theocracy from the civil element and establishes his spiritual kingdom, against which th gates of hell are never to prevail. By his servant Paul, as we have seen, he fully reveals what steps are taken by his Church in its dealings with this same sin, when it occurred in a form so unnatural that even the heathen were shocked and revolted by it. And at the same time he is careful to warn all men, in the Church and outside of it, as to what his intentions are, when he shall return in the clouds of heaven accompanied by his holy angels. The record is found in Eph. 5, 5; Rev. 21, 8; 22,5. He deems that to be sufficient on his part of the matter.

And now before passing to another phase of the subject, it may be helpful to make some respectful reply to other suggestions that have been made concerning the opinions set forth in this discussion. In so doing it may be possible to enable others having similar doubts to see both sides of the question: Said one whose name is a household word among us for high character, great learning, and power in the pulpit, "We should not consider that this provision in our Confession for excluding the offending party from another marriage is anything extreme or unreasonable. Similar penalties are daily inflicted in our civil courts. Men are suffering for long periods for wrongs committed by them. And God's providence working out his will through the forces of nature is doing similar things constantly."

The reply to this defense of the provision should be: Most certainly there can be no objection made on the score of injustice, for did not God authorize the infliction of the death-penalty on this offence in the Mosaic Code? And has he not in express words denounced the awful doom of eternal death against it again and again in the New Testament? But the real and only question is whether or not the Church of the New Testament has been authorized to inflict that penalty on the offender? The two proof-texts alleged to prove that it has been authorized have been analyzed with sufficient care and thoroughness to justify the answer given in this paper, that our Lord did not give such authority. And the procedure laid down in a

parallel case at Corinth fails to hint of such a penalty on "the offending party." Moreover the "censures" provided by our Church in her Book of Church Order have been thoroughly examined, with the inevitable conclusion that such a penalty is entirely outside of and contrary to our Book of Discipline. And these things being true, it is not admissible to introduce such general analogies. The employment of them under such conditions is the logical fallacy known as "ignoratis clenchi," or the ignoring of the true and only refutation, which would be to present a better, truer exegesis of the proof-texts and to adduce evidence from the Book of Church Order to show that it does sanction the use of such a penalty as a part of the Church's discipline on a professed disciple. The truth is that the penalty in question was to be inflicted by the civil arm of that Christian Theocracy which the Assembly and the Parliament were trying to set up in Great Britain. Our Lord in his "good confession before Pontius Pilate" repudiated the civil element of the Jewish Theocracy, and thereby rendered unlawful any subsequent imitations of it by his disciples.

Another learned and eminent brother as a reply to the position taken in this paper was heard to say in substance, that the condition of "the offending party" in the case set forth in the Confession of Faith is analagous to that of a *non-paying debtor.* So long as his obligation is not discharged this debtor is morally bound to pay that sum which is justly due to the creditor. And we may say that "the offending party" not having met his obligations under the marriage contract is held by virtue of this contract to make good his debt.

The reply to this objection is, of course, as has been already stated, that this friendly discussion turns not upon general resemblances to the affairs of this present world, but upon a *specific statute* of our Lawgiver, the Lord Jesus Christ. And hence nothing can be of use to settle the meaning of that statute except his words in the proof-texts or in parallel Scriptures. All else is to "ignore the true and only refutation."

And yet it would not be difficult to raise serious doubts as to the relevancy of this particular analogy. *To what precise duty,* for example, *is this defaulting offender held? Who,* in other words, *is the creditor whom he has defrauded by his failure to*

keep his promise? Why, of course, the other party in the contract. But at the instance of this party the contract has been wholly dissolved. It has been annulled completely, as though a creditor to whom money is due should, in the presence of the debtor and the court, tear up the debtor's written obligation, declaring, "I will have nothing more to do with this debtor; I hereby refuse to touch a penny of his 'filthy lucre.' It is tainted money, and I will have none of it." What then? Shall the debtor continue throughout life to insist on the payment?

But let us suppose that "the innocent party" in the case should avail himself (or herself) of the permission to form another contract of marriage. Shall the debtor under the former contract continue to insist upon "payment in kind," or in any other form that can be mentioned? Surely he would incur by such annoyances the risk of imprisonment and fines.

But suppose "the innocent party" should die? Of what bearing on the supposed "debt" would this event be? All marriage relations are ended by the death of one of the parties, as we read in our Lord's wonderful reply to the Sadducean cavils against a future life. (Matt. 22, 33.) And Paul uses this fact as a moral axiom in Rom. 7, 2, 3; Cor. 7, 39. Does the defaulter still remain bound by a contract that death has rendered it impossible for him to pay? The supposed analogy breaks down at the very point where it should hold. It is an instance of "false analogy," which Logic warns us to beware of in that species of reasoning, which is peculiarly hazardous. In this case the error might be called the fallacy of reasoning: A dicto secundem quid ad dictum aliter. For it is not exactly reasoning from a *general fact* to a *special case;* nor from a *special case* to a *general fact.* But, rather, from *one special case to another special case*—a form of fallacy, a name for which has not been provided for, though the need for it has been asserted by Jevons and other writers.

Yet there is One to whom "the offending party" is, according to Scripture, held firmly bound. And this obligation is by the highest authority by a safe and true analogy compared to a debt of vast extent. That party is the Almighty whose law he has broken. And unless at the offender's entreaty a Mediator be secured, who is both able and willing to discharge the debt, his condition will be most deplorable when payment is demanded.

DISCUSSION—PART III

HAS OUR LORD AUTHORIZED THROUGH HIS INSPIRED SERVANT PAUL AN AMENDMENT TO THE NEW TESTAMENT LAW AS HE GAVE IT PERSONALLY

The evidences of haste and imperfect composition in Chapter XXIV, Sect. VI having been shown, and the provision therein made for intervention by the civil magistrate in the Church's administration of Christ's discipline having been pointed out, it now remains that a still more important question be considered fully, *namely, Do Paul's words in I Cor. 7, 15 really warrant us in holding that, about the year A. D. 59, our Lord employed him to modify and amend what he had personally taught on two occasions as recorded by the Apostle Matthew?*

1. In seeking an answer to this question, it seems best to determine, as well as we can, what information on this inquiry is within the reach of a Presbyterian who understands only his native English tongue. And this being attended to we shall together pass on to the critical examination of the apostle's words in the Greek original.

In the noble Version of 1611, this searcher for the truth finds these words by which Paul's very words are turned into English:

> *I Cor. 7, 15: But if the unbelieving depart, let him depart. A brother or a sister is not under bondage in such cases: but God hath called us to peace.*

It may be fair and candid to admit that in some minor points the Revised Version is more accurate in representing the original. The action of the unbeliever is more carefully expressed by "departeth" in the Ind. Pres. Tense. The full stop after the second "depart" is well replaced by the colon (:). Our definite article "the" takes the place of "a" before "brother" and "sister," as it is in the Greek. And the Greek preposition is more correctly represented by writing "in" rather than "to" before "peace." These are not trifles because they relate to the Word of God, but they do not seriously affect the main issue. And it is to be regretted that our revisers were so radical in their changes of the grand Version of our fathers as to lose so much of its idiomatic and rhythmical glory that we cannot consent to adopt

their version as a substitute for our older translation, and must await a more conservative revision, which can give us needed corrections without unnecessarily calling for sacrifices that are not needed.

This inquirer into the exact meaning of his English Bible, we may assume to be a ruling elder accustomed, like the Bereans, to compare the teachings of pastors and writers in his religious paper with the Bible. And moreover we will assume that in this instance he has a painful and trying incentive to the closest examination of the Scriptures in the fact that his dearly loved daughter has recently been wilfully deserted by her husband, who, despite his wrong deed, has candidly acknwledged in a letter to her that she has ever been an affectionate and dutiful wife, though "somehow" he has become too discontented to continue in their once happy home.

This letter she places in her father's hands, saying that while it is humiliating to remain as she is, bound to a man who has repudiated her and desires to be freed from the bond, she has serious scruples about that particular regulation of our Church. She was recently present when the rector of the Episcopal Church was explaining their "Canon" (No. 39) which limits divorces to the one cause given by our Lord on two occasions as recorded by Matthew's gospel. "He compared Paul's words with our Lord's, and claimed that the true reconciliation can best be effected by remembering that while our Lord is laying down the law for persons when *both parties are of the Christian religion,* Paul's advice applies only on the cases of 'mixed marriages' at Corinth, when one partner had been converted to Christianity while the other remained in the old religion. He quoted from the same chapter what Paul has already written as to marriage *between two Christians.* I looked it up when I went home and found the words in vv. 10 and 11 of the chapter. He also insisted that inasmuch as neither marriage nor divorce is expressly mentioned by Paul in v. 15, it is entirely in accordance with the literary and Biblical usage of the words 'under bondage' to understand them to be a strong designation of *moral obligation.* Their meaning in that case, he said, would be that the abandoned Christian, who has done nothing intentionally to cause the non-Christian partner to withdraw, is free to live apart from the deserter,

and not to insist on continuing to dwell with such a wilful person, who seems to be moved by hatred for the new religion. And furthermore, he quoted from a book the regulation of the Methodist denomination, which is identical with the canon (No. 39, I think it is) of their Church. And so his conclusion was that the apostle does no more than to advise the Christian when thus abandoned to live in single life until the deserter's heart is so changed by God's grace as that he or she will seek reconciliation. And, father, to speak the truth, I never could see exactly how those words of Christ can be so far modified by that verse in First Corinthians. But my mind is so shaken, dear father, by this dreadful ending to my happy married life, that I cannot trust myself to think it out. And so I come to you for help. Sometimes I imagine that perhaps John has given his love to another woman, and desires to be divorced that he may marry her. And then, considering how sinful his life must be in the sight of God, I think that, if he could be married to her, perhaps his poor soul would be less guilty. But I have no knowledge of such a person. And the few friends who have ventured to speak to me about him intimate that they have heard no rumors of such an immoral attachment."

But the house has become so intolerable to her that she proposes to leave it and return to the home of her childhood. She feels that besides having the daily society of her father, she can also make the home of his old age more comfortable to him, by taking in some measure the place of the faithful wife and mother, who has been called to the Better Land. This arrangement is joyfully agreed to. And after a tender prayer has been offered, she hastens to the home, once so full of light and happiness, to prepare for closing it up that she and her baby may live with her father, until her duty is made clearer.

And the father resolves to begin his investigation at once, in accordance with his daughter's earnest request, that not a word shall be said, even to the pastor, about their inquiry into the regulations of the Presbyterian Church about divorce on the ground of "wilful desertion." Experience has already convinced him of the advantage gained in going directly to the Holy Scriptures for light rather than to human opinions in the commentaries. He, therefore, turns to the words of the Master in Matt. 5, 32 and

19, 9; and realizes more than ever how very positive and conclusive they seem to be. Then he fixes his attention on Paul's words in I Cor. 7, 15, seeing at once that the Episcopal minister had correctly said that neither marriage nor divorce is expressly named in that text. And yet, as he says to himself, marriage is the chief subject under discussion in the entire chapter. And therefore it may be indicated as "a good and necessary consequence" from this Scripture, taken as a whole. And such our fathers evidently understood it to be. In that event the words *"under bondage"* would signify a marriage while it continues to be binding on the parties. And *"not under bondage"* would indicate the dissolution of the marriage, or a divorce.

He will look carefully into the matter, then, and reads over with care and reflection the whole of the chapter, his thoughts being expressed in such words as these: "The Church in Corinth, I see, have written to their founder about marriage. And in response he advises those who are unmarried to remain so. This is very strange in view of what the Scriptures say so repeatedly of God's purpose in establishing marriage before sin had entered our world. And none of the sacred writers has said stronger words about the institution than Paul himself. His words are referred to in the margin of my Bible, I see. In Heb. 13, 4 he terms marriage an honorable condition for all men. In Eph. 5, 22-29, he compares it to that holy union which exists between Christ and his bride, the Church. And in I Tim. 4, 3 he gives "forbidding to marry" as one of the signs of a great apostasy. This I have always considered to be the Papal system. How wise it would have been in that church, had she so carefully guarded her priests from temptation, as Paul guards the unmarried Christians in Corinth, by warning them to marry, if they find themselves unable to live, as he did, a pure and chaste life. The marginal reference directs me to Christ's words in Matt. 19, 11, 12 where he also says to his apostles that not all men can safely live in the unmarried condition. Surely the history of Christianity, especially in the Roman Church, illustrates that truth. There must be some local and temporary condition which explains Paul's advice. Ah! here it is in v. 26, where he alludes to *this present distress*. Paul by supernatural revelation foresees the near approach of one of those awful persecutions, concerning which our

Lord has warned his disciples to expect that family ties would be oftentimes broken asunder; the nearest kindred betraying one another to death. Here are his words in Matt. 10, 35, 36. Now I understand clearly why Paul gives such advice to unmarried persons in Corinth."

With this satisfactory solution of Paul's advice to the unmarried, he is about to enter upon a closer examination of v. 15, when his attention is directed to vv. 10 and 11. He observes that in writing to certain married persons in these verses, the apostle is not content to give mere advice, but uses the word *"command."* Moreover, he refers them to the commands of the Lord Jesus, as though these persons already were acquainted with Christ's teaching as to the duties of marriage. Evidently, then, both of the parties in such a marriage are of the Christian religion. What then has Christ said to such married people? Paul does not seem to feel that he needs to repeat the whole of the Lord's words to those already familiar with them, but rather makes application of them to the parties. The wife, he says, is not to abandon her husband, and the husband is not to "put away" his wife, the very words found in Matt. 5, 32 and 19, 9.* The one cause which justifies divorce is omitted, but was evidently well known to Paul's correspondents. False teachers, as it seems, had already been saying that marriage itself was an undesirable institution—worldly, less sanctified than the single life. Against such doctrines Paul cites the Lord's teaching as he had taught the Corinthians, orally when with them about five years previously, and in a letter which has not come down to us. (1 Cor. 5, 9.)

Our friend is about to close the investigation, because he has found the answer for his daughter. "Mary," he says to himself, "and John also are professed disciples. In her piety I have entire confidence. Appearances are certainly much against him now, but David was led far astray, and yet was saved when he repented. I consider the case as closed for Mary. Here is the answer for her—*Neither party can separate from the other and*

*In the English Version the words are identical, and so is the meaning both in Greek and English. But in the original here the term is *"aphiennai,"* to send away, in Matt. 5, 32, as we have seen, it is *apoluo,* to release.

enter upon another marriage "except for fornication." And of that nothing seems to give satisfactory proof in this case.*

However, our friend's mind has been so thoroughly aroused that he will look into the meaning of v. 15, to see what it is that caused the Westminster divines to claim that Paul gives "wilful desertion" as an additional cause for divorce. And with this in mind he resumes his careful reading at v. 12: "But to the rest say I, not the Lord." Surely Paul does not by such words intimate that any Christian, no matter what be his condition, is ever exempted from his Saviour's control? No; but he means only that the Lord Jesus has not *applied* his commands to a disciple who is a partner in a "mixed marriage." But to the unbelieving party not a word is said, while the apóstle confines his advice to the Lord's disciple alone. He notes, therefore, how carefully the inspired servant of Christ advises the Christian against doing anything to break up this marriage with the non-Christian consort. The marriage is lawful and the children are federally "holy," because of their relations to the Christian parent. Yet, if the unbeliever of his (or her) own accord decides to separate from Christ's disciple, this self-determined act of abandonment justifies Paul in advising "the brother or the sister" not to interfere

*Concerning such separations as may occur for causes other than adultery or wilful desertion, Dr. Hodge thus writes in his exposition of 1 Cor. 7, 11: *"But and if she depart.* The law of Christ is that she should not depart; but if in violation of that law, or of from necessity she be obliged to depart, hse has but one of two things to choose between—she must remain unmarried, or she must be reconciled to her husband. This is not as an exception to the law, but it contemplates a case which may occur in despite of the law. In case a woman has actually departed, with or without just cause, then she must remain unmarried, or be reconciled to her husband. There are cases undoubtedly which justify a woman in leaving her husband, (but) which do not justify divorce. Just as there are cases which justify a child leaving, or being removed from the custody of a parent. The apostle teaches, however ,in such cases of separation, the parties must remain unmarried." What these grounds for living apart without a divorce may be, Dr. Hodge does not say exactly in so many words, but in another part of his exposition of this verse, he makes mention of "Incompatibility of temper, cruelty, disease, crime and other things of the kind," which human laws often make the occasion for divorce. See Comm. on 1 Cor. pp. 113 and 114. Incompatibility may be such at times as to make life under the same roof to be unendurable. And so cruelty of a brutal sort, crime that may require a consort to be come a partaker in the other's sin, as when food dishonestly obtained is all that a family has to support life. And so disease like leprosy, insanity or disreputable infections which taint the blood and ruin the body and mind of posterity. In some highly civilized lands such marriages are positively unlawful, and justly so. They produce a degenerate and miserable offspring to be a burden to the State, and a curse to themselves.

with the departure. And it is easy to comprehend what a dangerous "informer" such a discontented partner is likely to prove, when the "distress" spoken of in v. 26 shall have come upon the Christians.

And hence when he examines v. 15 in the light of all the facts now before him, he discovers that to determine precisely the extent of the liberty here claimed by the apostle for the abandoned Christian—whether or not it includes a divorce, for example—he must determine the exact meaning of *"under bondage."* For if these words really mean—*held by a contract of marriage,* then "not under bondage" must signify *not any longer bound by the marriage contract in any respect whatever,* that is to say, he or she is *divorced completely.*

He feels that the expression "under bondage" is not the usual designation for the marriage tie. He can recall no instance in his reading or conversations when it was so designated. But to be sure of it he turns to his "Worcester's Unabridged," to see whether his impressions are correct, and finding "BONDAGE," he reads:

"1. State of restraint, as in captivity or imprisonment:
'To be a queen in bondage is more vile
Than is a slave in base servility.'—Shak.
"2. State of being compelled to render service; servitude; slavery.
'The Egyptians made the children of Israel to serve with rigor; and they made their lives bitter with hard bondage.'
—Exod. 1, 13, 14.
"3. Obligation; tie of duty.
'The bondage of observing oaths.'—South
"4. The subjection of mind through ignorance, fear or superstition.
'And deliver them who through fear of death were all their lifetime subject to bondage.'"

He sees plainly that, if the word has been used by any standard writer to designate a marriage union, Dr. Worcester was not aware of the fact. For a signification so interesting and important would not be lightly passed by. He cites freely from the English Bible as from a high standard of good usage, and he shows familiarity with the epistles of Paul. But not a word does he say about marriage.

In a multitude of counsellors, says the Wise Man, there want-

eth not wisdom. And so our friend borrows Webster's Unabridged from his next-door neighbor and reads: "1. The condition of a slave, compulsory servitude, slavery. 2. The condition of a captive, imprisonment, captivity, bonds. 3. Subjection to any influence, domination or control, as the bondage of fashion or custom.

"*Synonyms*—Captivity, enthrallment, serfdom, servitude, slavery, subjugation, thralldom."

But neither in his definitions nor in the rich list of synonyms does Webster see any allusion to matrimony.

Our friend, however, recalls the old saying "In for a penny; in for a pound," and resolves to consult the pastor's new and ponderous copy of "The Standard Dictionary," presented by the members of his Bible class at Christmas. But, as he wishes to answer no questions, he selects a time when he knows the pastor to be visiting among his people. The great volume is placed in his hands by the servant at the manse. He reads over all the definitions to find that Worcester and Webster are sustained at all points. Only "The Century Dictionary" remains to be examined of those within his reach. He goes to the public library, and finds the ten portly volumes of that great work. But has it a word to say about marriage as a definition or a synonym for bondage? Not a syllable. Like all the others the Century Dictionary has no knowledge of even so much as *one instance* of such usage in English literature.

But our friend remembers that in Cruden's Concordance he has access to every instance in which "bondage" occurs in the English Bible. And this high authority will not only let him see the very best of English usage, but the habitual use of the word by the translators of 1611. He turns to "bondage" and finds that Cruden arranges the meanings of the word under five principal heads, as follows: (1) Outward slavery and oppression, Exod. vi. 5; Ezra 9, 8, 9. (2) Spiritual subjection to sin and Satan, Heb. 2, 15. (3) Subjection to the yoke of the ceremonial law, Gal. 2, 4; 4, 9. (4) Servile fear, Rom. 8, 15. (5) Corruption and death, Rom. 8,21. And under this statement of the five principal meanings a long array of citations (37 in all) is given by this laborious student of the Bible. It is possible that a more careful search of the original Greek text would require that we

extend the radical idea of "bondage" especially in the primitive form of *bond-man* so as to include the relations of the redeemed soul to God and especially to the Lord Jesus Christ, as the incarnate Son of God. In this relation *ownership and absolute authority* are expressed. But this is that *"service of God which is perfect freedom."* It is Paul's favorite designation for himself. And the conclusion has been reached that the uniform usage of good English writers is wholly against employing the words *"under bondage"* to indicate the tie of marriage; and especially is this true of the usage of the English Bible, which fully shows how the translators themselves used this word. And hence Cruden does not hesitate to place 1 Cor. 7, 15 along with all the other texts as falling under the five meanings above quoted from him.*

The results of this careful examination of the English Bible seem to be as follows:

(1) When both parties in a marriage are of the Christian religion, Paul refers them to the commands of our Lord, as being well known to them, specifying (a) that the wife is not to abandon her husband, but that in the event of her leaving him, she must remain unmarried or else be reconciled to her husband. (b) Nor is the husband to put away his wife (Gr. to send her away). And these commands reciprocally bind both parties, for how can the wife be reconciled to her husband unless he remains unmarried also?

(2) When it is a case of "mixed marriage," Paul, having cautioned the Christian not to break up the marriage, adds that if, however, the unbelieving or non-Christian partner *of his own accord* decides to withdraw, the Christian is to "let him depart," that is, not to hinder his withdrawal; because the Christian man or woman is not a slave that he or she should insist on living with this deserter. More than this is not said by the apostle. And hence the father will advise his daughter to do as the apostle

*Cruden's texts may be complied under the two heads of (1) Civil Relations and (2) Moral Relations, thus:

CIVIL RELATIONS—Exod. 1, 14; 2, 23t.; 6, 5, 6, 9; 13, 3, 14; Deut. 5, 6; 6, 12; 8, 14; 13, 5, 14; 26, 6; Josh. 24, 17; Judg. 6, 8; Neh. 5, 5t., 18; 9, 17; Ez. 9, 8, 9; Isai. 14, 3.

MORAL RELATIONS—Rom. 8, 15, 21; Gal. 2, 4; 4, 3, 9, 24, 25; Heb. 2, 15; 2 Pet. 2, 19.

1 COR. 7, 15 may include both of these significations, but neither of them is used to designate marriage or divorce.

commands the Christian partners in 1 Cor. 7, 10, 11 to remain quietly in her separation from her deserting husband, remaining unmarried unless God should open the way to a reconciliation.

At this point it seems desirable to call attention to the translations of this clause in 1 Cor. 7, 15 by three other versions of great value and importance. The Latin Version—The Latin Version, so long used generally among the European peoples, has: "*Non est cnim servitute subjectus*—for (he or she) is not subject to servitude." The French follows closely its Latin mother with: "*N'est point asservi*—is not *enslaved.*" The German does not deviate far: "Es ist . . . nicht gefaugen—is not a captive, a prisoner, conquered, mastered."

In not one of these great versions is there any allusion whatever to marriage, but in all the Christian's personal rights, civil, moral or religious, perhaps all of them together, are asserted as the ground of Paul's advice that no efforts be made to detain the unbeliever, who without provocation save it be the change from Judaism or heathenism, decides of his own accord to withdraw from Christ's disciple. And it is easy to observe in each of these translations what is true of our own—a close adhesion to the original idea of repudiating bondage or servitude. They all claim for the Christian the right to live separated from such a deserter, but nothing more than this privilege is intimated. And hence none of them gives any support to the Westminster interpretation when it claims for the abandoned Christian the privilege of divorce, and possibly also the right to marry another person. But this last privilege is omitted from the law as written, and for this reason perhaps judges who have been trained in the interpretation of legal phraseology would consider themselves as not authorized to grant this privilege.

So much for the meaning of the English Version. But our Confession very wisely sends us to the Hebrew and Greek originals as the higher and final arbiter in all questions of interpretation. Let the apostle's very words, therefore, as he wrote or dictated them, be consulted that we learn from himself more directly just what advice he intended for the Corinthian partners in the mixed marriages that resulted from the conversion of one consort while the other remain in the old religion. The text is copied from Nestle and Weidner's critical edition, which embodies the

labors of the best scholarship of our times, especially those of Westcott and Hart:

Ει δε ο απιστος χωριζεται, χωριζεσθω· ου δεδουλωται ο αδελφος η η αδελφη εν τοις τοιουτοις. Εν δε ειρηνη κεκληκεν ημας ο θεος.*

The verb χωριζεται in the Pres. Ind. Mid. voice indicates that the agent is acting on himself. And hence, even our Revised Version is less critically accurate than the French, which has "se sépare, qu'id se sépare"—*separates himself, let him separate himself,* thus showing that the non-Christian has not been provoked into the action, but is self-moved to withdraw.

But the Greek text lays decided emphasis on the verb δεδουλωται by giving it the leading position in the clause before its two subjects, instead of after them. Hence Paul in composing this sentence had his mind especially on the thought expressed in the verb. It is the Perf. Pass. Ind. of δουλοω, a derivative from δουλος, a slave or bond-man. Δουλοω in the Active Voice signifies primarily *to make a slave* (of some one,) *to enslave.* And hence it readily lends itself to the expression of the mental influences, and of such states and conditions, as exercise *a controlling influence.*

The first matter for investigation is to see whether or not the usage in Hellenistic, or New Testament Greek, favors, or even permits, of the meaning assumed for the verb δουλοω by the Westminster devines, when they used I Cor. 7, 15 as the proof-text authorizing the complete dissolution of a marriage tie because of "wilful desertion."

For the correct usage of this verb in Hellenistic Greek we must be content with the careful examination of the instances in which it occurs in the New Testament only, inasmuch as neither Josephus nor Philo is within our reach. The N. T. texts may be examined in the order of their occurrence:

(1) *Acts* 7, 6—"And they (the Egyptians) shall bring them (the Israelites) into bondage," Gr. δουλωσουσιν, Fut. Ind. 3rd Pers. P.u. of δουλοω. The word is employed in its original sense, *to make slaves of.* There can be no allusion whatever to marriage.

(2) *Rom.* 6, 18-22—The apostle is describing the blessed change of the pardoned and regenerated sinner, when he is

*The Version of 1611 found "ημας, us," in the Elzevir text, and also erred in translating εν as if it were εις.

delivered from the control of sin, and placed under the control of righteousness. And for this purpose he uses the illustration borrowed from servitude wherein the bond-man ceases to serve a cruel and hard master to become the happy servant of righteousness or of God.

The two forms of the verb δουλοω are the Aor. Pass. 2nd Pers. Plu. and the Participle of the same Tense. But in this metaphor there can be no allusion to marriage.

(3) 1 *Cor.* 7, 15—Inasmuch as this text is the one under investigation, it may be left to be determined after all the others shall have been examined.

(4) 1 *Cor.* 9, 19—Here the apostle seeks an illustration of his own self-denying service to his beloved but erring converts in Corinth. This he finds in the idea of bond-service—saying, "I made myself," as it were, "the bond-servant of all." Gr. εμαυτον εδουλωσα, "of myself I made a slave." The illustration is founded on the original meaning, and has no allusion whatever to marriage.

(4) *Gal.* 4, 3—Describing the ignorance of himself and of his Galatian brethren so long as they remained as pupils of an unscriptural form of Judaism, he illustrates their condition as their being under bondage to their imperfect instruction. The form of δουλοω is the Perf. Pass. Part. and the illustration is based upon the condition of servitude. No allusion to marriage is possible.

(5) *Tit.* 2, 3—Instructing Titus as to his selection of Christian women for work as deaconesses or otherwise, Paul cautions him against choosing such as are addicted to an intemperate use of wine. The word δουλοω is employed in the Perf. Pass. Part., "δεδουλωμεναι, *enslaved by much wine.*" This metaphor is based entirely on the original meaning of the word, and has no connection whatever with marriage or divorce.

(6) 2 *Pet.* 2, 19—Peter warns his correspondents against the domination gained over many, by false teachers, which he compares to slavery. He employs the word in the Perf. Pass. 3rd Pers. Sing., δεδουλωται, the precise form used by Paul in his advice to the Christian partner in a "mixed marriage" at Corinth. Of course Peter is not thinking of marriage.

(7) Besides these seven instances (two being considered together in Rom. 6, 18, 22), there are also two instances of δουλοω in composition with κατα, which adds force to the meaning—*as to enslave thoroughly*. These two passages are *2 Cor.* 11,20; *Gal.* 2, 4. In both instances Paul is warning his correspondents against the harmful influence of false teachers. And there is not the slightest suggestion of marriage.

But whenever the subordination of the two offices in the family is mentioned, as in Eph. 5, 22; Col. 3, 18; Tit. 2, 5; 1 Pet. 3, 1, 5, 22, a wholly different word is used—υποτασσω. Apart, then, from 1 Cor. 7, 15, the close and somewhat critical examination of the nine instances of the occurrence of δουλοω, two of them containing the verb in composition with κατα, there is always a close adherence to its primary meaning, *to enslave*. And in no instance is there a trace of the marriage bond. Hence to insist without necessity that, in the tenth instance it does indicate marriage, is to disregard the Hellenistic or N. T. usage of the word.

And when the help of all accessible lexicons has been used, especially the standard lexicon of Liddell and Scott, no trace whatever is discoverable in the citations from Classical Greek writers, of their employing δουλοω to express a marriage relation. And the same may be also said of its primitive δουλος with the whole family of its derived words, δουλεια, δουλευω, the adjective δουλος, slavish, and δουλη, bond-maid. Good usage, therefore, both in Hellenistic and in Classical Greek, is uniformly opposed to the interpretation which assumes that ου δεδουλωται in 1 Cor. 7, 15 signifies the dissolution of a marriage tie, or a divorce. This uniform usage suggests that Paul asserts that the Christian, under the conditions named by him, is not to be regarded as a slave, that he must at all hazards continue to live as the consort of this unbeliever who chooses to abandon him, evidently because of his conversion to Christianity. The rights so strongly asserted by the apostle are such as belonged to the Christian partner while he was still living with the deserter prior to the withdrawal. He did not surrender them when he entered the marriage relation. They still belong to him, now that he has been left alone. But the rights extend no further than to his living apart from the unbeliever, in the peace of God.

And so we come to the consideration of that fact which is imbedded deeply in the syntax of the Greek text and offers an insuperable obstacle to the Westminster interpretation. So long as we continue to fix our attention on the translation into English we find in this text three verbs, *all of them in the Present Tense.* They are "depart" ("departeth" in the R. V.), "let him depart," and "is not under bondage." Now, the second of these "let him depart" depends on the first "departeth" as the *occasion* of Paul's advice, as we all observe. And hence the question, Why may not "is not under bondage" be dependent upon "departeth" also? To this inquiry our English Version can only make some such reply as this: Because good English usage of the word "bondage" does not at all sanction the meaning which that construction assigns to "bondage," *namely* a contract of marriage. This usage both in general literature and in the English Bible itself requires a different signification for the word. But when we examine the sentence as it is in the Greek, there is a complete change in the tenses of the verb. For as Paul mentally composed the sentence in Greek, and then wrote it down, or had it written, the three verbs are in three different Tenses. The first of them χωριζεται Paul carefully puts in the Present Tense of the Middle Voice, thereby indicating that the agent (the unbelieving partner), in abandoning his Christian consort *is acting on himself,* or is self-moved to *separate himself.* The second verb, χωριζεσθω, Paul with equal care puts into the Aorist Imperative to denote an action that is to be done *immediately,* and is not to be repeated. The Aorist Imperative is used to give commands to soldiers as in Acts 23, 23, while the Present Imperative is used in the calm expression of laws and of moral precepts. That Paul employs the more forcible Aorist Imperative suggests that his indignation has been excited by the heartless conduct of the pagan or Jew in forsaking the Christian who has done nothing to provoke him. And while the *form* of χωριζεσθω is Passive, as is not infrequently the case in the New Testament Greek, the *meaning,* as Winer states, is that of the Middle Voice. Perhaps it is one of the indications of a decline in the Greek language, which finally lost the subtle use of the Middle Voice altogether. And as our English tongue, with all

of its riches in expression, has not a Middle Voice, we are compelled to translate Paul's energetic word by our Pres. Imperat. But the all-important fact to be noticed is that the third of these verbs Paul wrote in the *Perfect Tense* Ind. Pass. And why was it so written? The answer is that he must of necessity have wished to record something as being true of the Christian *in time that had already passed and was still continuing to be true of him when Paul was making this record, which conveys his advice to the Christian partner in a "mixed marriage."* No other truthful explanation can possibly be given of that Past Tense as written by Paul. He undoubtedly, apart from his miraculous "gift of tongues," had acquired Greek along with the Aramaic or modern Shemitic substitute for the Hebrew of the Old Testament which would be spoken, of course, in the home of his father, who was an orthodox Pharisee. But Tarsus was a Greek city in Asia, with its Greek university, said to have been second only to that in Athens. On its streets, therefore, the gifted child, boy and youth would hear and acquire that wondrous Gentile speech in which the God of his fathers by and by would employ him as the most prolific writer of the New Testament.

Of that marvelous Greek Perfect, Prof. Burton, of the Chicago University, has this to say in his treatise on "The Moods and Tenses of the New Testament," section 86: "The Aorist and the Perfect involve reference to a *past event, the Perfect affirming the continued existence of the results of the event* (italics mine), *and the Aorist affirming the event itself, without affirming or denying the existence of the results.*" And Winer writes to the same effect in his world-renowned "Grammar of the N. T.," page 272 (Thayer's Revised Ed.): "The Perfect used as a Present—(a) Only in so far as the Perfect denotes *an action or state whose commencement and occasion were completed in time past.*" (Italics mine again.)

And hence that χωριζεται in the Present Tense could, by any possibility, be the "occasion" or cause of δεδουλωται in the Perfect Tense would never for one moment be in Paul's mind while he was composing and recording his advice. And we may be well assured that this idea would be equally foreign to the minds of his correspondents, the Greek-speaking Corinthians. The com-

plete thought intended by the apostle and discovered by them at a glance would be like this: "ου δεδουλωται—*has not been enslaved and is not now enslaved.*" None of the other great Aryan languages cited on a previous page seems to possess this double force of the Greek Perfect, but their Perfects are about of the same force as the Greek Aorist. And hence to avoid the serious blemish of protracting so greatly their translating of the Greek Perfect, as by common consent, so to speak, they all cast away that part of the Greek Perfect which records the *past* existence of the event, and content themselves with recording only the *present existence* of its results. There are nine instances of the Greek Perfect in this one chapter, for example, and it is easy to realize to what lengths it would have protracted the various translations, if in all cases the two elements had been given.

Prof. Burton calls attention to many examples of this use of the Greek Perfect, as also does Winer. But one of them seems so beautiful that I cannot resist the temptation to cite it as found in Paul's glorious *resumè* of the evidences of the resurrection of our Lord, that had fully convinced his own mind—1 Cor. 15, 3, 4: "That Christ died (Gr. Aor. απεθανεν, he did not remain so.) . . . that he was buried (Gr. εταφη, but did not remain so,) and that he rose again on the third day, Gr. εγηγερται, (Gr. Perf., and *remained so* when Paul made this record, as also while we are reading it.) The expression used by the German philologist, "The Perfect used as the Present," is perhaps liable to objection, regarded in itself. But it describes exactly what is done in our Versions. They do cast away one-half of the full meaning of the Greek Perfect, while retaining the other half of it.*

Of course in bringing forward these results attained by modern philologists no reflection is cast upon the ability or the scholarship of our illustrious fathers of the Westminster Assembly, who were probably misled by fixing their attention in this instance rather upon the Latin and the English Versions than upon the Greek original of 1 Cor. 7, 15, which they read with ease and fluency no doubt. But if, after two centuries and a half of per-

*To my scholarly friend, Rev. R. W. Jopling, of Austin, Texas, I am indebted for calling my attention to Prof. Burton's accurate distinction between the Aorist and the Perfect, as well as for examining various Greek grammars—Buttman, Hadley, Goodwin and others, to find them agreeing entirely with Winer and Burton.

sistent study of the Greek by men not at all deficient in ability, no advances had been made in the comprehension of that wonderful tongue, what stupid creautres we modern men would show ourselves to be! And of course to men of far less ability than our fathers, these discoveries are accessible in the standard works like Thayer's critical edition of Grimm's Wilkies Clavis N. Test., his Revised Edition of Winer's Gram. of the N. T., and Moulton and Geden's Greek Concordance. Such works would have been impossible before these extensive investigations had been made. And it is well known that Winer's great work, which has made the Church and the world his debtors, was issued in 1828 as a conservative defense of the language of the N. T. against the furious assults of Critics who chose to consider it a barbarous jargon unworthy of the name of that language in which Homer sang of Troy and Plato wrote his sublime philosophy. That it continues to hold a leading place in Theological education to this day puts his Grammar beyond praise.

It being settled then, that Greek syntax has entered an unchangable veto against that interpretation which would hold the act of desertion expressed in χωριζεται as the occasion of the Christian's privileges and liberties expressed by ου δεδουλωται, it may help our comprehension of the result attained to observe the suggestion made by Bp. Bloomfield in his evangelical and sober exposition of this text. His words for filling in the ellipsis after "ου δεδ. * * * εν τοις τοιουτοις" is συνοικειν αυτω, *to dwell in marital relations with this deserting partner.* The rights and liberties extend no further than this permission. There is no hint of the dissolution of the marriage bond at all.

Perhaps the information furnished in Young's Analytical Concordance may not be accessible to all, and hence it is copied from p. 103 of that useful work:

"BONDAGE—

(1) Servitude. (Heb. *abdeuth* fr. ebed, bond-servant.) Ezra. 9, 8, 9; Neh. 9, 17.

(2) Service, (Heb. abodah, bond-service, fr. ebed.)

(3) To enslave thoroughly, (Gr. καταδουλοω.) 2 Cor. 11, 20; Gal. 2, 4; also Dt. 6, 6; Neh. 5, 18; Isai. 14, 3.

(4) Servant, (Heb. *ebed*, bond-man.) Exod. 13, 3, 14; 20, 2; Dt. 5, 6; 6, 12; 8, 14; Josh. 24, 17; Judg. 6, 8.

(5) Slavery, service, bondage, (Gr. δουλευω.) Rom. 8, 15, 21; Gal. 4, 24; 5, 1; Heb. 2, 15.
(6) Bondage, to be in, (Gr. δουλευω.) Jno. 8, 33; Acts 7, 7; Gal. 4, 9, 25.
(7) To enslave, (Gr. δουλοω.) 1 Cor. 7, 15.
(8) Bondage, to bring into, (Heb. Kabash, to tread down.) Neh. 3, 5.
(9) To enslave, (Gr. δουλοω.) Acts 7, 6; 2 Pet. 2, 19.
(10) Bondage, in, (Gr. δουλοω.) Gal. 4, 3.
(11) Bondage, to keep in, (Heb. abad.) Exod. 6, 5.

Let us note carefully that no hint is given of a marriage-bond.

Perhaps Bengel's sagacity and spiritual insight appear at their best in his comments on 1 Cor. 7, 15—χωριζεσθω, separator, suas sibi res habeat: frater sororve sit æquo animo; ne putet mutandum sibi esse quod mutare nequit. Fidelis in gratiam infidelis partis non tenetus fidei renunciare; v. g. ου δεδουλωται, non est mancipi. Libertas eo justior in hac parte quia parti fideli non multum opis paratum erat a magistratu infideli. Quanquam etenim hodie ratio illa valet a libertate et pace. Sed cum exceptione illa—maneat extra conjugium. v. 11.

Note how wisely he refers to our Lord's command, cited by Paul in v. 11, as setting a limit to the liberty of the Christian.

It only remains now that a respectful rejoinder be made to an objection urged with absolute confidence to the conclusion that has been established in this paper concerning the correct interpretation of 1 Cor. 7, 15. The objection rests on ethical or philosophical grounds, *namely*, "wilful desertion of course justifies a divorce, because it breaks up the marriage relations." Few things, as we all know, are so very congenial to our Presbyterian type of mind. This philosophical argument is substantially the same as that advanced by Dr. Charles Hodge in his valuable Commentary on First Corinthians, p. 113: Adultery, he says, annulls marriage, "Because it is a breach of the specific contract involved in marriage. And so does, for the same reason, wilful desertion, as the apostle teaches in a following verse." And so having succeeded in finding the philosophical reason for limiting divorce to these two causes, which are in a class by themselves, the Doctor proceeds with his exposition. But it is apt to be the case that, having found a satisfactory proof for our opinion by the easy plan

of speculative philosophy, we do not feel the need of laborious exegesis of the inspired text. Passing by this assumption of some "specific contract in marriage" which adultery and wilful desertion violate, and other wrongs do not, let us take note that the abbreviated argument above quoted is of that species technically termed "enthy meme," because a portion of it is not put into words, but is held back in the mind. This unspoken portion is apt to be erroneous, and hence Logic insists that it be brought into the light. In this case the concealed portion happens to be the "Major" or larger premiss, which is this:

Major—"All things that 'break up the marriage relations' are causes justifying divorce."

Minor—But wilful desertion is a cause that "breaks up the marriage relations."

Conclusion—And therefore wilful desertion is a cause that justifies divorce.

Some years ago a famous case of divorce was granted to a very rich man in Kentucky on the ground that his wife was hopelessly insane, and thus the marriage relations were "broken up." But when his will leaving property to children born of a subsequent marriage was brought into court, this bequest was declared to be invalid because the law of Kentucky permitting divorces on that ground involved the violation of a contract (of marriage) without a just reason, the rich man's wife being sick and doing no wrong. More recently a bill of the same nature was "railroaded" through the Legislature of Florida for the special accommodation, it is said, of another very rich man. He secured the divorce and "married" a new wife. But such an indignant protest was raised throughout that State and elsewhere that the obnoxious statute was repealed shortly afterwards. And so the moral instincts of mankind rebel against that "Major premiss."

Suppose then that it be modified so that it reads: All wrongful actions of a married person that "break up the marriage relations" justify divorce, what then? Is it true that "wilful desertion" is the only form of wrongful action by a married person that does this thing? What shall be said of cruelty that includes wife-beating of an aggravated and brutal nature? What shall be said of beastly drunkenness that makes the home, and especially the wife's room, as filthy as any pig-sty? Of drunken cries and

threats that drive the wife and children to the shelter of the woods in the depths of the night? And what shall be said of courses of dishonesty pursued from day to day which plainly show that an honest woman must either consent to live on stolen food or else leave the cunning thief? These do not exhaust the list of wrongful acts, but they are sufficient to show that many actions besides "wilful desertion" do, as matters of fact, "break up the marriage relations." Yet, as all know, our law "draws the line" at two causes only. It says: "Although the corruption of man be such as is apt to study arguments, unduly to put asunder those whom God hath joined together in marriage; yet nothing but adultery, or such wilful desertion as can no way be remedied by the church or civil magistrate, is cause sufficient of dissolving the bond of marriage," etc. Hence the choice must be made between our law and my friend's argument. From this there is no escape, for as the apostle puts the case, not only for the athletic games of which he is speaking, but for reasoning as well: "And if a man strive for masteries, yet is he not crowned, except he strive lawfully."

Moreover, it is true that to a given exegesis of Scripture, the only legitimate reply is to furnish a better exegesis. However, let the question be asked: Why not modify that unfortunate premiss that was back in the mind of our friend and let it read, "Some wrongful actions by married persons justify a divorce?" Logic will tell us, You do not strive lawfully unless your Middle Term, break up the marriage relations, is distributed, or used in its *widest meaning* at least once in your premisses. And this rule of the game is not complied with in this last form of your argument. And to distribute it, you must make it either the subject of a universal proposition, or else the predicate of a negative proposition.

THE END.

AMENDMENTS TO OUR CONFESSION, CHAPTER XXIV, V AND VI

[N. B.—The writer knows very well that it would be unpardonable presumption to suppose that anything written by him is ready for insertion into that incomparable document that has come down to us from the Westminster Assembly. The utmost that he could expect is that perhaps after years of study on this matter, thoughts embodying the true expositions of our Supreme Standard—the inspired Word of God—may stimulate inquiry and lead to such changes as are needed to bring the Subordinate Standards a little nearer to the Original Source of our Knowledge.]

V. Promises to marry are not to be entered into lightly, but prudently, prayerfully, and in the fear of God;[1] nor are the Lord's people to intermarry with the worldly and the ungodly.[2] Yet when such promises have been given, they are to be faithfully observed; nor may they be recalled except for serious and weighty reasons, such as the discovery of unchaste conduct, vicious and immoral habits, or communicable diseases endangering the health of a consort or of posterity.[3]

VI. When both parties to a covenant of marriage are subject to the discipline of the Church, and information reaches the Church court having jurisdiction that one is, or that both of them are, charged with the sin of adultery, careful inquiry shall be made by the court, and if the facts require that the cause shall be tried, proceedings shall be conducted according to the provisions of the Book of Church Order. And if the charges are sustained, the censure of the Church shall be inflicted on the guilty, with solemn prayer to God that he will make the procedure a blessing to the offender and to the Church, and that it may inure to the glory of God. And a copy of the decision shall be furnished to the parties duly signed by the Moderator and Clerk. And those who sin in this manner shall be tenderly admonished that unless they repent by turning from sin unto God and seek forgiveness through the Lord Jesus Christ they will miserably perish in the judgment of the last day. Also the parties

[1] Prov. 6, 1, 2; 1 Cor. 10, 31; 2 Cor. 1, 17, 18; Gen. 24, 12-14; Mat. 6, 13.
[2] Josh. 9, 21, 26; Neh. 5, 12, 13; 2 Cor. 6, 14, 15; 1 Cor. 7, 39; Eph. 5, 5.
[3] Matt. 1, 18-20; Lev. 13, 45, 46; 2 Chron. 26, 20, 21.

to such divorce as is based upon adultery shall be admonished of their duty to be subject to the civil powers in all their lawful requirements, saving such commandments of men as are contrary to the commandments of God.[d]

VII. When the married person against whom adultery is charged is not subject to the jurisdiction of the Church, the Church court having jurisdiction over the innocent party shall carefully inquire into the facts, and if satisfied that the sin has been committed, it shall enter upon its minutes a decision in accordance therewith, and the innocent party shall be advised of his or her spiritual privilege to be divorced in accordance with the law of the Lord Jesus Christ.[e] But at the same time this party shall also be admonished of the Christian's duty to be in subjection to the civil powers in all such regulations as do not enjoin disobedience to God.

VIII. When a Church court is credibly informed that acts of unchastity are charged against any persons who are subject to the jurisdiction of the Church, if after careful inquiry it shall appear that process should be begun according to the provisions of the Book of Church Order, and the person be subject to this court, the cause shall be tried by it. But if the person be subject to another Church court, then a record of the facts shall be without unnecessary delay transmitted to the court having immediate jurisdiction, that the offender may be recovered from his evil ways, and the honor of religion may be maintained.[f]

IX. When credible information reaches the court of the Church having jurisdiction, that serious differences have developed in a family of which one member at least is subject to the authority of the Church, it shall be the duty of the Court to confer prudently with such member or members of the family with a view to composing the difficulties and restoring the disciple or the disciples of Christ to that peace wherein God hath called us to live.[g] But if after faithful and affectionate efforts, it shall

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[d] Matt. 18, 18, 19; Jno. 20, 23; Acts 20, 28; Exod. 20, 14; 1 Cor. 5, 1-13; 1 Tim. 1, 20; Eph. 5, 5; Rev. 21, 8; 22, 15; 2 Sam. 12, 13; Lk. 7, 44-47; Rom. 13, 1-4; Tit. 3, 1; 2 Pet. 2, 13-17; Dan. 4, 16-18; Acts 4, 19; 5, 29.

[e] Matt. 16, 18, 19; Jno. 20, 23; Acts 20, 28; 1 Cor. 5, 12, 13; Rom. 13, 1-4; Tit. 3, 1; 1 Pet. 2, 13-17.

[f] Acts 11, 1-3 and 22, 23; Id. 15, 1-6; Jas. 5, 19, 20.

[g] Matt. 5, 9; Rom. 12, 16; Id. 16, 17, 18; 1 Cor. 1, 10, 11; Id. 7, 15; Phil. 4, 7; Matt. 5, 32; Id. 19, 3-9.

appear to the court that nothing can be done to prevent a separation of husband and wife, then the Christian member or members of the marriage covenant shall be admonished that nothing but adultery can justify a divorce in the sight of God, and that a subsequent marriage to another person during the life of both parties would involve the offender in serious and deadly sin.